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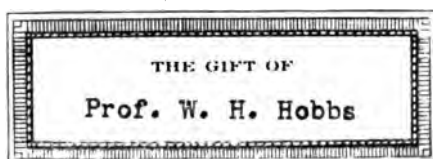
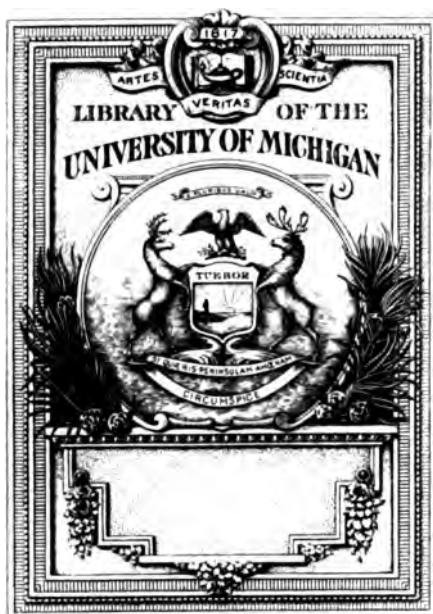
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HISTORY  
OF  
AMERICAN POLITICS  
(NON-PARTISAN),

EMBRACING A HISTORY OF THE FEDERAL GOVERNMENT  
AND OF POLITICAL PARTIES IN THE COLONIES  
AND UNITED STATES FROM 1607 TO 1882.

By WALTER R. HOUGHTON, A. M.,  
INDIANA UNIVERSITY,  
AUTHOR OF "CONSPICUOUS OF THE HISTORY OF POLITICAL PARTIES," "WALL-CHART  
OF UNITED STATES HISTORY, LITERATURE, AND GEOGRAPHY,"  
"WHEELS OF STATE AND NATIONAL GOVERNMENT."



ILLUSTRATED BY COLORED ENGRAVINGS.

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## PREFACE.

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THE political history of the United States has received less attention than any other important portion of the history of our country, notwithstanding the fact that there is no other subject which meets with such general consideration as politics.

The object of this work is to present a complete HISTORY OF AMERICAN POLITICS, giving the subject ample consideration, yet avoiding those details that consume the time of the reader without adding materially to his historical information.

The plan of the work is designed to simplify the story of our political history, thus making clear and intelligent what is otherwise, to a large proportion of our citizens, a great mass of documents too extensive for perusal.

Chapter I. treats of local colonial politics, and closes with a plate that represents mechanically the nature of colonial governments in their individual capacity.

Chapter II. sets forth the difference between the colonists and the parent country on national colonial politics, and presents those issues that ultimately drove the Americans into the war of independence. This chapter is followed by a plate that exhibits to the eye the leading features of the British government, and represents how, according to the English colonial system, the colonies were under the supreme power of Parliament.

Chapter III. presents revolutionary politics, and is accompanied by a plate which shows the sovereign and independent condition of the thirteen colonies, and their lack of coöperation with the Continental Congress by any binding law.

Chapter IV. gives the political history of our country from revolutionary times till the beginning of the administration of our first

President, and is rendered more valuable by a plate which represents the government of the United States under the articles of confederation.

Chapter V. is devoted to the political history of Washington's administration, and is classified so as to present, in the order of their occurrence, the history of the sessions of Congress. Political events that took place outside of Congress are considered between congressional events, in their proper chronological order. Following the historical portion of the chapter is a plate showing, by several hundred wheels and rings, the nature and workings of the federal government, and its harmonious coöperation with the governments of the states.

The succeeding portions of the work treat the political history of the United States by administrations, following the manner of Chapter V. At the close of each chapter are references, naming the publications from which the history of American politics must be gleaned. To these are added lists of the names of federal officers; the platforms of the political parties; and other important documents of historical interest.

At the close of the volume is a diagram, showing, at a glance, the history of all the political parties in our country from 1607 till 1883. The plate is of valuable aid in obtaining a rapid and comprehensive idea of the political history of the United States.

In preparing this volume, information has been obtained from numerous publications, and from individuals who have made American politics a subject of careful study. Among those who have readily responded to any inquiries, and have willingly rendered whatever assistance requested, may be mentioned Judge Scott, of the Supreme Bench of Indiana; Hon. Berry Sulgrove, ex-editor of the *Indianapolis Journal*; and ex-Senator W. B. F. Treat. The work is now before the public, and the reader can judge as to the value of the information furnished.

WALTER R. HOUGHTON.

*Indiana University, Bloomington.*

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**Pages 522–543**

# AMERICAN POLITICS.

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## CHAPTER I.

### LOCAL COLONIAL POLITICS.

1607—1776.

#### LOCAL SELF-GOVERNMENT.

A system of local self-government was in operation among the Anglo-Saxons during the period of their history as a distinct people. Their subjugation by the Normans in 1066 modified the system, but did not destroy it. The people slowly acquired power and gradually obtained important accessions from the crown, three of which, the Magna Charta, the Petition of Right, and the Bill of Rights, have been styled the bulwarks of English liberty. These have shaped the destiny of America.

The English colonists who founded the thirteen original colonies during the one hundred and twenty-six years following the settlement of Jamestown, brought with them the idea of local self-government, under which they had lived in the parent country. They occupied the coast from Florida to Nova Scotia, and lived under such governments as circumstances required. Some of the colonies in their incipient stages, such as Plymouth and Rhode Island, were pure de-

mocracies ; but when the growth of population prevented this, the form of government became representative. English sovereigns established over the colonies three kinds of government—the charter, the proprietary, and the royal. This was done, in some instances, at the date of settlement ; in others, at a later period. Under these forms, the thirteen colonies became permanent, each independent of the others, and managing its own affairs. Every colony had matters connected with its management, in which the people were interested, and about which they would express their opinion. The discussion of these things developed a local politics, and served to educate the people in the most desirable forms of government and the best modes of civil administration.

The colonial governments were similar, in that each had a governor and a general assembly, consisting of a council, which constituted the upper house, and a lower house elected by the people. Though these things were common, there were differences in their organization.

#### CHARTER GOVERNMENTS.

The charter governments were those modeled according to the provisions of the charters granted by the British crown. A charter served as a constitution to the colony that possessed it, and allowed the people to be represented in the government, a matter upon which the colonists insisted, claiming they should enjoy all the rights and privileges of Englishmen. The demand for representation was so great that every colony had a colonial legislature modeled after that of the parent country.

The local political questions under charter governments usually involved matters pertaining to citizenship, religious toleration, and the right of suffrage. In Massachusetts, Roger Williams and his earnest followers were denied the right of citizenship, Quakers were persecuted, and no person could

become a freeman unless he were a member of some church in the colony.

#### ROYAL GOVERNMENTS.

In the provincial or royal governments, the king appointed the governor and a council that formed the upper house of a legislature, the lower house consisting of representatives chosen by the colonists. The governor, whose instructions were received from the king, had a negative on all proceedings of the assembly, and could dissolve them at pleasure. The authority of the legislature extended to the making of local laws not in conflict with the laws of England; but all laws enacted by the legislature were subject to ratification or disapproval by the English sovereign. "The governor and council had power to establish courts, appoint judges, raise troops for defense, and exercise martial law in time of invasion, war, and rebellion. All real power was thus in the hands of the king, or of those holding office at his will." Though deprived of power in a great measure, the people possessed the forms of liberty, and freely discussed all matters connected with the government of their colony.

Political matters in provincial governments pertained principally to arbitrary rule and exactions of the governor, freedom of the press, and the question of franchise. In Virginia, Governor Harvey was deposed, and Puritans were prohibited from holding any office of government. In New York, the colonists contended a number of years before they obtained an assembly; but the most noted contest between the people and the governor was the trial of Zenger, an editor, who had been arrested for freely expressing his opinion on matters of government.

#### PROPRIETARY GOVERNMENTS.

A proprietary government was under a proprietary, who appointed the governor, provided for a legislature, and sus-



tained toward the people a relation similar to that of the crown in the royal governments. Local politics differed but little from that under provincial governments. In Carolina, the original form of government, under Locke's Grand Model, was resisted till its abrogation was made a necessity, and two governors were banished for their tyrannical proceedings. In New Jersey, the colonists refused to pay quit-rents to the proprietors; while in Maryland, the vital struggle lay between the Catholics and Protestants, on the questions of religious toleration and the right of suffrage.

The actual power possessed by the people was in many cases very small; but each colony, having a colonial legislature modeled upon Parliament, was "rendered familiar with elections, and with legislative and judicial proceedings." The forms of liberty brought the reality, and trained the colonists to the exercise of independence.

#### PARTY NAMES IN COLONIAL TIMES.

In the earliest era of colonization, political parties contended on American soil. Party organizations did not exist as in after times; but the people held two distinct political opinions, one portion favoring kingly prerogative and distrusting the capacity of man for self-government; the other portion advocating the rights of the people and confiding in the capacity of man for self-government. The former division may be called the "court party," the latter the "popular rights party;" names sufficiently comprehensive to embrace all that is included under them. These appellations are arbitrary, being selected because of their fitness to designate those political divisions that existed for a time without a name, and in different sections under different names. After the accession of William and Mary, 1688, the political affairs of England absorbed much of the attention of the Americans, and the party names of whig and tory, used in England,

came into vogue among the colonists, each name having in America, without important variation, the signification attached to it in England.

#### THE COURT PARTY.

The "court party" is a term applied to those, who, adhering to royalty, favored whatever was claimed by the crown. In some colonies it was called the aristocratic or royalist party. It was synonymous with the name tory, while that party existed in America. (See Plate VI.)

#### THE POPULAR RIGHTS PARTY.

In all the provinces, there were those who contended in the interest of the colonists, and antagonized whatever aided in suppressing the will of the people. Such advocates constituted what may be called a popular rights party, since this term includes all who opposed the royalists. The supporters of popular rights comprised a majority of the colonists, though in early colonial times their potency was weakened through coercion and a need of leaders. The adherents of popular rights, after party divisions were established, were known in some colonies as democrats, in others as republicans. They constituted the "people's party," and were sometimes classified as the "country party." Those who advocated popular rights opposed external authority, and favored a union of the colonies with allegiance to Great Britain. (Plate VI.)

#### POLITICAL LINES FIRST DRAWN.

In the province of New York, a "man of the people," named Rip Van Dam, was acting governor, when William Cosby, the royal governor, arrived from England. They soon quarreled, each having his supporters, thus causing the appearance of two violent parties; that which supported Van Dam was called the democratic party, while that which fa-

vored the royal governor was called the aristocratic. Each party had the control of a newspaper, and for a long time there was violently waged a war of words. The democratic paper was called *The New York Weekly Journal*, and was edited by John Peter Zenger; the aristocratic paper, edited by William Bradford, was called *The New York Gazette*. Being unable to compete with his opponent, the royal governor, in 1734, ordered the arrest of Zenger on a charge of libel. The editor, after an imprisonment of thirty-five weeks, was tried by a jury, and acquitted in July 1735. Zenger was defended by Andrew Hamilton of Philadelphia, to whom the magistrates of New York City presented a gold box "as a token of their esteem for his noble advocacy of popular rights." This contest marks the time when the line of demarkation between democrats and royalists was distinctly drawn. Party strife thus defined continued with prominence till the treaty of 1783. A few years before the Revolution the democrats were called whigs, and the royalists tories. In colonial times the term "democratic" was interchangeable with that of "republican." Each indicated an advocate of popular rights. (Plate VI.)

## REFERENCES.

NOTE.—These works touch upon colonial politics only in so far as its treatment forms a part of the volumes mentioned. The first named work treats the subject more extensively than any other of the list.

<b>Rise of the Republic of the United States</b> .....	Frothingham.
<b>History of the United States, V. I.</b> .....	Schouler.
<b>History of the United States, V. I, II</b> .....	Bancroft.
<b>History of the United States, V. I.</b> .....	Hildreth.
<b>John Adam's Works, V. X., p. 2.</b> .....	Adams.
<b>Jefferson's Works, V. IV., p. 437</b> .....	Washington.
<b>Franklin's Autobiography, V. I, p. 245</b> .....	Bidgelow.
<b>History of Massachusetts</b> .....	Barry.
<b>History of Massachusetts</b> .....	Lippincott's Cabinet.
<b>History of Maine</b> .....	Williamson.
<b>History of Maryland</b> .....	McSherry.
<b>History of Rhode Island</b> .....	Short.

# MECHANICAL REPRESENTATION OF NEW YORK UNDER ENGLISH GOVERNMENT.

## EXPLANATIONS.

NOTE — Read on page 107 the articles entitled, "What Constitutes a State," "How a State is Mechanically Represented," "Mechanical Representation of Georgia," and page 110, "How the Machine Operates."

### PEOPLE.

V. Voting Class. N. Non-Voting Class.

### LEGISLATIVE DEPARTMENT.

A. Assembly. C. Council.

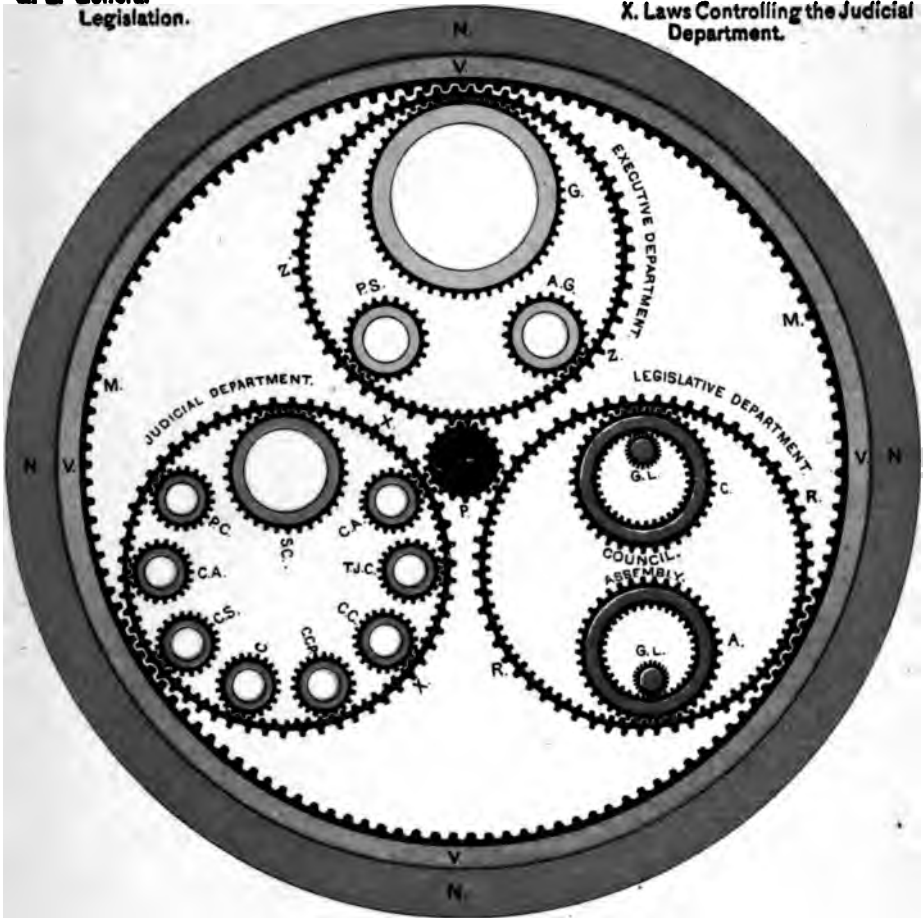
G. L. General Legislation.

### LAWS.

M. Laws by which the Voting Class Operate with the Government

R. Laws Controlling the Legislative Department.

X. Laws Controlling the Judicial Department.



Z. Laws Controlling the Executive Department.

P. PATENT, (Charter.)

EXECUTIVE DEPARTMENT.

G. Governor.

P. S. Provincial Secretary.

A. G. Attorney General.

### JUDICIAL DEPARTMENT.

S C. Supreme Court.

C. C. P. Court of Common Pleas.

C. C. Court of Chancery.

C S. Court of Sessions.

C A. Court of Assizes.

T. J. C. Town and Justices Courts,

C. City Courts. P. C. Prerogative Courts.

C. A. Court of Admiralty.

As New York is Represented, so may each of the other Colonies be shown. For Duties of each Official, in the Colonies Government of New York, see "New York Civil List."

1870

1871

1872

1873

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1890

## LOCAL COLONIAL POLITICS.

7

History of North Carolina.....	Wheeler.
History of New Hampshire.....	Sanborn.
History of Virginia.....	Campbell.
History of Connecticut.....	Dwight.
History of South Carolina .....	Simms.
History of New York (colonial) .....	Lamb.
History of New Jersey.....	Sypher.
History of Georgia.....	Stevens.
History of Delaware .....	Ferris.
History of Vermont.....	Lippincott's Cabinet
History of Florida.....	Fairbanks.
History of Pennsylvania.....	Sypher.
History of New England.....	Palfrey.
Other Colonial Histories.....	

## CHAPTER II.

### NATIONAL COLONIAL POLITICS.

1607—1776.

#### POLITICAL RELATIONS OF THE COLONIES.

While the colonies were separate in their local organizations and managed their internal affairs without molesting one another, they were as one people in their relation to the British nation, whose authority, vested in the king and Parliament, was supreme. In this relation they had interests in common and contended for them with a united zeal.

#### POLITICAL CLAIMS OF THE COLONISTS.

There was a difference of opinion between the colonists and the crown as to how far Great Britain might legitimately exercise her authority in the colonies. This occasioned much discussion and formed the basis of the political differences between the colonies and the home government. So great was the divergence that it was difficult of reconciliation. The colonists claimed that they were loyal English subjects and willing to defend the person and territory of their sovereign against foreign enemies to the extent of their ability ; that by removing to America they lost none of their rights as Englishmen, and that they were entitled to all the privileges secured to every citizen in the Magna Charta and the Bill of Rights, foremost among which were trial by jury and the writ of habeas corpus ; that the charters which they obtained from the crown were civil compacts and could not be changed, save by mutual consent ; that they possessed the right of making their own laws through their representatives freely chosen,

and that the only limitation to colonial legislation was that their enactments should not be antagonistic to the laws of England ; that no tax should be imposed upon them but such as they freely voted in their local assemblies to levy and collect ; that they possessed the right of ultimate judicial decision in all cases whatever, and that appeal to any English authority was not legal ; that the authority of Parliament could not be recognized, since the colonists were not represented in that body ; that they could not be bound by laws in the enactment of which they had no voice ; that to Parliament was granted the reserved right of general legislation and of imposing duties to regulate commerce, but its right to supervise internal interests was denied.

These positions were not held by every colony at first, but as the aggressions of Parliament increased the sentiments were adopted, and finally advocated by all. On these national issues the colonists who supported popular rights, planted themselves, and, confident of right, maintained their position with an ability and success that have attracted the admiration of the world. Neither did they operate without antagonism at home. The court party combatted their political views and supported the policy and measures of England.

#### POLICY OF ENGLAND TOWARD THE COLONIES.

The planting of English colonies, though without exception the result of private enterprise, was generally favored by the sovereigns of England. James I., wishing to open a field of enterprise for adventurous men who thronged England after the long war with Spain, which closed in 1604, readily granted, for purposes of colonization and trade, the vast country between Halifax and Cape Fear. Over the colonies, planted in this territory, the king assumed jurisdiction and maintained that they were the property of the crown, and not subject to the legislation of Parliament. After the affairs of Vir-



ginia grew into importance, a royal interference with the London company was kept up till the corporation dissolved.

Charles I. did not preserve a uniform course of action toward his subjects in America. He opposed the Virginians who were royalists, endeavored to monopolize the profits of their industry, attempted to deprive them of many rights, and declared that a "chartered incorporation was totally unfit to manage the affairs of a remote colony."

In opposition to this policy, he favored an association of Puritans called the Massachusetts Bay Company, granted them a charter guaranteeing political rights and religious freedom, and assured them that "he would maintain their privileges and supply whatever else might contribute to their comfort and prosperity." With greater liberality, he granted to Lord Baltimore, for the settlement of Maryland, a charter conferring the rights of freemen upon the settlers, exempting them perpetually from royal taxation, and empowering them to make laws with the approbation of a majority. A wish to rid his kingdom of political and religious agitators seemed to have been the object of the king in opening for the Puritans an asylum in the west. When they became permanently established in Massachusetts, and emigrants to their colony left England in great numbers, the king became jealous of their success and influence, and began royal interference to weaken their power and subvert their liberties. In 1633, he opposed emigration of the Puritans, and on two occasions afterward ships bound for New England were prevented from sailing by order of the council. An attempt to deprive Massachusetts of her charter was defeated by difficulties at home, which resulted in the execution of the king.

During the civil war in England, the colonies were not molested. When Parliament assumed the reins of government, it sent a squadron to reduce to obedience the colony of Virginia, which adhered to the cause of Charles II., a fugitive in

France. It demanded that Massachusetts give up her charter and receive a new one in the name of Parliament. This requisition was never enforced. To punish Holland for not forming a close confederacy with England, and to promote British commerce, Parliament framed, in 1651, the famous navigation act, which prohibited the importation into England of colonial products of America, Africa, and Asia, except in British ships, three-fourths of whose mariners were Englishmen. This law was the beginning of that commercial policy which, with other acts of oppression, ultimately drove the Americans to take up arms in the cause of independence. During the Protectorate, this act was not fully enforced against the colonists by Cromwell, whose administration was one of leniency toward them.

Charles II. revived the commercial policy which guided Parliament during the Commonwealth. The American colonies, no more considered the property of the crown, were regarded as portions of the British realm, subject to the legislation of Parliament. In 1660, the navigation laws were remodeled so as to make England the only market for important articles produced in America. At the same time England, Ireland, and Guernsey, were prohibited from cultivating tobacco, in order to grant to the provinces in America a seeming monopoly of the trade in that plant. The countries thus interdicted, not being naturally adapted to the growth of tobacco, were but slightly injured by the law. In 1663, the navigation acts were amended so as to require the colonies to purchase from England all their European commodities. In 1672, a tax was imposed on articles imported from one colony to another. These exactions "based upon the principle that the colonies were established at the cost, and for the benefit of the mother country," were enacted to keep the Americans dependent on England.

The laws were generally evaded by the colonists, and, in or-

der to enforce them in Virginia, vessels were sent to cruise along the coast, and forts were built on her principal rivers. In 1662, the King required of Massachusetts that she should grant the right of franchise to freeholders; that worship in the church of England should be tolerated; that every citizen should take the oath of allegiance to the crown; and that the administration of justice should be conducted in the sovereign's name. The colony complied only with the last of these requisitions. A number of liberal charters was obtained from Charles II. That granted to Penn was the first one received from an English sovereign in which the authority of Parliament was recognized.

The policy of this monarch was pursued by James II. An attempt was made in 1685, to unite under one government the American colonies from Delaware to Maine. Edmond Andros, having been made governor-general of New England, and having subverted the liberties of the people, extended his authority over New York and New Jersey. In 1689, the tyrant was arrested in Massachusetts and sent to England. This ended, in America, the despotism of the Stuarts.

William III. did not encroach upon the rights of his subjects, nor did he surrender to them any prerogative which legally belonged to himself. During his reign, the colonies retained their political privileges, and the governments received greater permanency. The English Revolution marked the close of excessive royal interference with the American colonies and the beginning of a uniform policy; but the idea that the colonies were dependent was not abandoned.

In 1719, the House of Commons enacted "that erecting any manufactories in the colonies tends to lessen their dependence upon Great Britain."

In 1732, Parliament prohibited both the transportation of woollen goods from one colony to another, and a hatter from having more than two apprentices. The following year a duty

was imposed on the importation of molasses, sugar, and rum. This was called the "sugar act."

In 1750, the English Government enacted a law prohibiting the manufacture of iron and steel in the colonies.

After the French war, Lord Chatham declared that "the British colonies of North America had no right to manufacture even a nail for a horseshoe." The policy of England was in opposition to the political views of a majority of the colonists.

In the reign of George III. an oppressive system of taxation was inaugurated by the ministry, and persisted in until the colonies were driven to an open resistance which developed into the American Revolution.

#### DECLARATIVE RESOLVES.

In the House of Commons the celebrated Declarative Resolves were presented in 1764. These resolutions announced the intention of the English government to raise a revenue in the colonies by a stamp tax. The subject was left open for consideration almost a year, during which time "the colonists watched with anxiety the growth of this new germ of oppression," and gave the proposed measure their almost universal opposition.

#### THE STAMP ACT.

The wishes of the colonies were set at naught by Parliament, and in the spring of 1765 there was passed the famous Stamp Act, which provided that all writings were null and void, unless executed on paper bearing a stamp, the cost of which was from three pence to four pounds. The intelligence of this act produced intense indignation in America, and the wicked scheme was vehemently denounced by the press, the pulpit, and the people. Associations of Sons of Liberty in all the colonies put forth their energies in defense of American freedom. Stamps were seized on their arrival and con-

cealed or destroyed. Under the lead of the fearless Henry, resolutions denying the right of England to tax the colonies without their consent, were immediately introduced in the Virginia House of Burgesses and triumphantly passed. In October, 1765, all the colonies, except New Hampshire, met by delegates in convention at New York to consult on measures of relief. A declaration of rights and grievances was prepared, asserting that the colonists were entitled to all the rights of natural born subjects within the kingdom of England; that taxes could not be imposed upon Englishmen without their consent; that the right of trial by jury was a right of the colonists; that the Stamp Act, and all other acts extending the jurisdiction of the Court of Admiralty beyond its ancient limits, were subversive of the rights and liberties of the colonies; and that it was the province of the colonists to petition the king on all grievances whatsoever.

The action of the convention was disregarded by the crown, and the Stamp Act went into effect on the first of November, 1765; but stamp distributors had been insulted and despised, and no officials were found with sufficient courage to enforce the law. Merchants entered into agreements that they would import no goods from England while the odious act remained in force. From all classes in America a respectful, but firm, protest went to the ears of the British ministry. The determination of the people could not be mistaken. It was apparent that the law could not be enforced, save by an appeal to arms, and to "this extremity the British government was not prepared to go." While the events of opposition were in progress, a change occurred in the ministry, and the Stamp Act was repealed.

#### THE DECLARATORY ACT.

William Pitt, doubting the advisability of repealing the Stamp Act without some concessions, had appended to it an

act which declared that Parliament possessed the power "to bind the colonies in all cases whatsoever." This forced the colonists to accept a position inferior to that of regular British subjects, or to stand out in opposition to the unequivocal declaration of Parliament.

DECLARATION AND RESOLVES OF THE CONTINENTAL CONGRESS,  
OCTOBER 14, 1774.

The boldness of the American people in exhibiting their indignation served to irritate their oppressors. Coercive measures towards the Americans were formed by many of the commons, the whole bench of bishops, and a large portion of the House of Lords. These, not doubting the power of Parliament to legislate for the colonies, urged the ministry to adopt new schemes for replenishing the English treasury from the resources of the colonies, and to employ arms for their enforcement, if such should be necessary. Oppressive legislation and coercive measures soon followed, and were continued from year to year, growing more unbearable as each new feature appeared, and meeting with a resistance that could not be appeased. The spirit of opposition grew in strength, spreading its flames throughout the colonies. The colonial legislatures approved and reflected the spirit of the people. Bold men led the way, "while the timid followed, though sometimes with hesitating steps." The more daring called for a congress of representatives of all the colonies to decide upon the measures most suitable for the occasion. The delegates, having been chosen in June, July, and August, assembled in Carpenter's Hall, Philadelphia, on the 5th of September, 1774. This body was called the First Continental Congress, to distinguish it from the two colonial congresses already held, one in Albany, 1754, the other in New York, 1765.

This congress continued in session until the 26th of October. Its proceedings exerted a most important influence upon

the public mind, and did much to produce the great events which followed. It recommended that the colonies should not import from England, or purchase merchandise coming thence, or export thither their colonial productions. This constituted a practical non-intercourse between the provinces and the parent country, which was to a great extent carried into effect. This congress on the 14th of October, 1774, passed a declaration and resolves, which are of but little less importance than the Declaration of Independence, and form much of the basis upon which the latter rests. This highly important document is given in full at the close of this chapter. The instrument shows the swelling germs of the Declaration of Independence, and the temper of those active, fearless, and high-toned men who led the way to permanent separation from the parent country. In addition to the Bill of Rights, this congress, ably setting forth their rights and grievances, prepared a petition to the King, an address to the people of Great Britain, another to the several Anglo-American colonies, and another to the inhabitants of Quebec. Measures for future action were matured, and met with the general approbation of the American people. The signal ability and wisdom of Congress drew these words from the Earl of Chatham in the House of Lords: "I must declare and avow, that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of circumstances, no nation or body of men can stand in preference to the general congress at Philadelphia."

The proceedings of this congress manifested decorum, firmness, moderation, and loyalty, the delegates hoping that their action would secure the desired redress of grievances; but preparing for emergencies, they resolved to adjourn and meet at the same place on the 10th of May, 1775.

#### BEGINNING OF HOSTILITIES.

Soon after Congress adjourned, Parliament assembled and,

spurning all overtures for adjustment of difficulties, gave evidence that the colonies could have but faint hopes of reconciliation. The Americans, preparing for the last resort, began the manufacture of arms and ammunition, and collected implements of war and stored them for use. In attempting to destroy these supplies, the British sent a detachment to Lexington in April, 1775, which, coming in contact with the local militia, killed eight of them, and destroyed a portion of the stores at that place. The English force continued their march, and, after destroying supplies at Concord, retreated to Boston, having reached the place with extreme difficulty. This city was immediately besieged by the Americans, and the issue between them and England was fairly made. "There was no retreat for the colonies but in submission and servitude.

#### DECLARATION OF INDEPENDENCE.

Before the time arrived for the second meeting of the Continental Congress, blood had been shed at Lexington, and the colonies had arisen in arms to resist the unlawful proceedings of the British government: Congress, firm in resisting oppression, passed bold and fearless resolves, which were reiterated in every city and village in the colonies. This legislative assembly commenced to prepare for resisting British power at every hazard. Master literary productions rang their clarion notes in favor of liberty and independence, spurring on the bold and arousing the indifferent. A work entitled "Common Sense" was said to have severed the last link of the chain that bound the colonies to the mother country. Congress provided for raising and equipping armies and preparing them for active operations. Washington was appointed commander-in-chief, and a treasury department was established. A fund was provided by the issue of bills of credit. All legislation of Congress tended at first only to a redress



of grievances, and for this purpose only, was open resistance undertaken by the colonies. In the minds of the more thoughtful men, however, the battle of Lexington rendered reconciliation and harmony impossible. This opinion was gradually accepted by the colonists, and when the time for separation came, their minds were prepared for the change.

The wisdom of Congress was manifested by the manner in which it presented to the world the reasons of the colonies for separating from Great Britain, the representatives proceeding in the hope that their action would meet with the approbation of future generations. To secure this object, they proceeded with prudence and careful deliberation. On the 7th of June, Richard Henry Lee, of Virginia, moved in Congress the declaration in these words:

*“Resolved, That these United Colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved.”*

This resolution at first did not meet with general favor in Congress. Many, hoping for reconciliation, thought it premature, and some timid ones were trembling while standing near the verge of high treason. After a discussion of three days, further consideration of the subject was postponed till the first of July. On the 11th of June, however, Congress appointed a committee to draw up a declaration in accordance with the resolution. Thomas Jefferson, of Virginia, was chosen chairman of the committee, and to him was assigned the task of preparing the declaration. The other members of the committee were, John Adams, of Massachusetts; Benjamin Franklin, of Pennsylvania; Roger Sherman, of Connecticut; and Robert R. Livingston, of New York. The declaration was submitted to Congress, debated two days, and adopted on the 4th of July, 1776. The adoption of this

document formally separated the colonies from Great Britain. The instrument was signed by forty-eight true-hearted patriots, and was read to the army, at public meetings, in all legislative halls of the country; and met with the warmest approval throughout the land. The Declaration gives at length the causes of separation, and sets forth the principles upon which the American Republic was founded.

#### REVOLUTIONARY PARTIES.

The terms "whig" and "tory" were the names of the two great political parties in England at the time when difficulties between the colonies and the crown began to assume a serious nature. The whigs opposed royalty, while the tories supported it. About the year 1772, the name "whig" was applied to those who supported the cause of the colonists, and "tory" to those who advocated the position taken by England. The former was a continuation of the popular rights party; the latter of the court party. (Plate VI.) For the first fifteen months of hostilities, the line of difference between the parties was drawn by the terms on which the connection of the colonies with England should continue. The whigs wished to remain colonists on condition that their rights would be guaranteed to them; the tories were willing to thus remain without such guarantee.

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DECLARATION AND RESOLVES OF THE CONTINENTAL CONGRESS, OCTOBER 14, 1774.

WHEREAS, Since the close of the last war, the British Parliament, claiming a power of right to bind the people of America, by statutes in all cases whatsoever, hath, in some acts, expressly imposed taxes on them, and in others, under various pretenses, but in fact for the purpose of raising revenue, hath imposed rates and duties payable in these colonies; established a board of commissioners with unconstitutional powers; and extended the jurisdiction of courts of admiralty not only for collecting said duties, but for the trial of causes merely arising within the body of a country;

AND WHEREAS, In consequence of other statutes, judges, who only before held estates at will in their offices, have been made dependent upon the crown alone for their salaries, and standing armies kept in times of peace;

AND WHEREAS, It has been lately resolved in Parliament, that by force of a statute made in the thirty-fifth year of the reign of Henry the Eighth, colonists may be transported to England, and tried there upon accusations for treasons committed in the colonies, and by a late statute such trials have been directed in cases therein mentioned;

AND WHEREAS, In the last session of Parliament three statutes were made—one entitled, An act to discontinue, in such manner and for such time as are therein mentioned, the landing and discharging, loading or shipping of goods, wares, and merchandise, at the town and within the harbor of Boston, in the province of Massachusetts Bay, in North America; and another entitled, An act for the better regulating the government of the province of Massachusetts Bay, in New England; and another entitled, An act for the impartial administration of justice in the cases of persons questioned for any act done by them in the execution of the law, or for the suppression of riots and tumults in the province of Massachusetts Bay, in New England; and another statute was then made for making more effectual provisions for the government of the province of Quebec, etc. All which statutes are impolitic, unjust, and cruel, as well as unconstitutional and most dangerous, and destructive of American rights.

AND WHEREAS, Assemblies have been frequently dissolved, contrary to the rights of the people, when they attempted to deliberate on grievances; and their dutiful, humble, loyal, and reasonable petition, to the crown for redress, have been repeatedly treated by contempt by his majesty's ministers of state;

The good people of the several colonies of New Hampshire, Massachusetts Bay, Rhode Island, and Providence Plantations, Connecticut, New

York, New Jersey, Pennsylvania, New Castle, Kent and Sussex on Delaware, Maryland, Virginia, North Carolina and South Carolina, justly alarmed at these arbitrary proceedings of Parliament and administration, have severally elected, constituted, and appointed deputies to meet and sit in General Congress, in the city of Philadelphia, in order to obtain such establishment as that their religion, laws, and liberties may not be subverted. Whereupon the deputies so appointed, being now assembled, in a full and free representation of these colonies, taking into their most serious consideration the best means of attaining the ends aforesaid, do, in the first place as Englishmen, their ancestors, in like cases have usually done, for effecting and vindicating their rights and liberties, Declare: That the inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, have the following rights:

*Resolved*, 1. That they are entitled to life, liberty, and property, and they have never ceded to any sovereign power whatever a right to dispose of either without their consent.

*Resolved*, 2. That our ancestors who first settled these colonies were, at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural-born subjects, within the realm of England.

*Resolved*, 3. That by such emigration they by no means forfeited, surrendered, or lost any of those rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them as their local and other circumstances enable them to exercise and enjoy.

*Resolved*, 4. That the foundation of English liberty, and of all free government, is a right in the people to participate in their legislative council; and as the English colonies are not represented, and from their local and other circumstances, can not properly be represented, in the British Parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has heretofore been used and accustomed. But, from the necessity of the case, and a regard to the mutual interest of both countries, we cheerfully consent to the operation of such acts of the British Parliament as are *bona fide* restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation, internal or external, for raising a revenue on the subjects in America without their consent.

*Resolved*, 5. That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage according to the course of that law.

*Resolved*, 6. That they are entitled to the benefit of such English statutes as existed at the time of their colonization, and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

*Resolved*, 7. That these, his majesty's colonies, are likewise entitled to all the immunities and privileges granted and confirmed to them by royal charters, or secured by their several codes of provincial laws.

*Resolved*, 8. That they have a right peaceably to assemble, consider their grievances, and petition the king; and that all prosecutions, prohibitory proclamations, and commitments for the same, are illegal.

*Resolved*, 9. That the keeping a standing army in the colonies, in times of peace, without the consent of the legislature of that colony in which the army is kept, is against law.

*Resolved*, 10. It is indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other; that, therefore, the exercise of legislative power in several colonies, by a council appointed during the pleasure of the crown, is unconstitutional, dangerous, and destructive to the freedom of American legislation.

All, and each of which, the aforesaid deputies, in behalf of themselves and their constituents, do claim, demand, and insist on, as their indubitable rights and liberties, which can not be legally taken from them, altered or abridged by any power whatever, without their own consent, by their representatives in their several provincial legislatures.

In the course of our inquiry, we find many infringements and violations of the foregoing rights, which, from an ardent desire that harmony and mutual intercourse of affection and interest may be restored, we pass over for the present, and proceed to state such acts and measures as have been adopted since the last war, which demonstrate a system formed to enslave America.

*Resolved*, That the following acts of Parliament are infringements and violations of the rights of the colonists, and that the repeal of them is essentially necessary in order to restore harmony between Great Britain and the American colonies, namely:

The several acts of 4 Geo. III., ch. 15 and ch. 34; 5 Geo. III., ch. 25; 6 Geo. III., ch. 52; 7 Geo. III., ch. 41 and ch. 46; 8 Geo. III., ch. 22, which impose duties for the purpose of raising a revenue in America, extend the power of the admiralty courts beyond their ancient limits, de-

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prive the American subject of trial by jury, authorize the judge's certificate to indemnify the prosecutor from damages that he might otherwise be liable to, requiring oppressive security from a claimant of ships and goods seized, before he shall be allowed to defend his property, and are subversive of American rights.

Also, 12 Geo. III., ch. 24, entitled, An act for the better securing his majesty's dock-yards, magazines, ships, ammunition, and stores, which declares a new offense in America, and deprives the American subject of a constitutional trial by a jury of the vicinage, by authorizing the trial of any person charged with committing any offense described in said act, out of the realm, to be indicted and tried for the same in any shire or county within the realm.

Also, the three acts passed at the last session of Parliament, for stopping the port and blocking up the harbor of Boston, for altering the charter and government of Massachusetts Bay, and that which is entitled, An act for the better administration of justice, etc. Also the act passed at the same session for establishing the Roman Catholic religion in the province of Quebec, abolishing the equitable system of English laws, and erecting a tyranny there, to the great danger (from so total a dissimilarity of religion, law, and government) of the neighboring British colonies, by the assistance of whose blood and treasure the said country was conquered from France. Also the act, passed at the same session, for the better providing suitable quarters for officers and soldiers in his majesty's service in *North America*. Also, that the keeping a standing army in several of the colonies, in time of peace, without the consent of the legislature of that colony in which such army is kept, is against law.

To these grievous acts and measures Americans can not submit; but in hopes their fellow-subjects in Great Britain will, on a revision of them, restore us to that state in which both countries found happiness and prosperity, we have, for the present, only resolved to pursue the following peaceable measures:

1. To enter into a non-importation, non-consumption, and non-exportation agreement or association.
2. To prepare an address to the people of Great Britain, and a memorial to the inhabitants of British America.
3. To prepare a loyal address to his majesty, agreeable to the resolutions already entered into.



### CHAPTER III.

### REVOLUTIONARY POLITICS.

#### STATE GOVERNMENTS DURING THE REVOLUTION.

At the outbreak of the Revolution the colonies formed provisional governments or disobeyed existing authorities when in conflict with the wishes of the Americans. By the Declaration of Independence the colonies became states, and each established a government of its own, the fundamental law being a charter previously obtained from the crown or a constitution supplanting it. Some of the charters were very liberal, and satisfied the wishes of the people long after the Declaration of Independence; but the majority of the colonies discarded their charters and adopted constitutions. South Carolina adopted her first constitution in 1775, a year before the Declaration of Independence. New Hampshire, declaring herself free from Massachusetts, established a temporary government in 1776, under which she acted until 1784, when she adopted her first constitution. New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and North Carolina adopted their constitutions in 1776, in accordance with the recommendation of Congress. New York declared herself independent of England in May, 1776, and adopted a constitution the following year. Connecticut continued to act under her charter till 1818, at which date she adopted her first constitution. The charter of Rhode Island was not supplanted by a constitution till 1842.

Under these charters and constitutions each colony acted in an independent capacity till the adoption of the Articles of Confederation, when certain modifications were made.

At the adoption of the Declaration of Independence, each state being supreme within its limits, and having no superior to which it was accountable, had, save where there was restraint by the provisions of its constitution, as ample powers as any government of Europe. There was no power that could veto or annul the acts of a state. These attributes rendered every state essentially sovereign.

#### THE CONTINENTAL CONGRESS.

The independence of the colonies did not prevent them from acting in concert. Danger required unity of action, and a central authority was necessary for the common safety. This was effected through the Continental Congress, which was composed of delegates from all of the colonies, and "which acted upon measures intended to promote the interests and secure the common safety of the whole." This body began operations on the 10th of May, 1775, and managed the general affairs of the colonies as a voluntary assembly and with undefined powers till 1781.

Congress could recommend measures, but it had no power to compel the states or the people to act. This lack of delegated power was not at first a hinderance to successful action, for, under the pressure and influence of a common danger, both the states and Congress exerted themselves with energy and efficiency. But, as the novelty of hostilities wore away, voluntary activity began to falter, and, zeal subsiding, the recommendations of Congress were seen to be ineffectual for the purposes of the war.

Indeed the weakness of Congress was seen at the beginning of the war, and the wisest statesmen in Congress labored for a stronger form of government; but the exigencies of the times delayed action on such legislation, and the Continental Congress continued to act by common consent as the outward

representative of power till the adoption of the Articles of Confederation.

#### STATUS OF THE STATES AND THE CONTINENTAL CONGRESS.

There were two views on the status of the states and the Continental Congress; one may be called national, the other particularist. The national idea is that the Continental Congress was a revolutionary body, exercising sovereign power, and that "each individual colony became a state only in so far as it belonged to the United States, and in so far as its population constituted a part of the people. The thirteen colonies, according to this view, did not, as thirteen separate and mutually independent commonwealths, enter into a compact to sever the bonds which connected them with their mother country, and at the same time to proclaim the act in a common manifesto to the world; but the 'one people' of the united colonies dissolved that political connection with the English nation, and proclaimed themselves resolved, henceforth, to constitute the one perfectly independent people of the United States."

"The Declaration of Independence did not create thirteen sovereign states, but the representatives of the people declared that the former English colonies, under the name which they had assumed of the United States of America, became, from the 4th day of July, 1776, a sovereign state and a member of the family of nations recognized by the law of nations; and further, that the people would support their representatives with their blood and treasure, in their endeavor to make this declaration a universally recognized fact." The justification of this act was sought in the right of revolution. This position was taken by Patrick Henry, of Virginia, in the Congress of 1774. In that body he thus expressed himself: "Government is dissolved. Where are your land-marks, your boundaries of colonies? The distinctions between Vir-

ginians, Pennsylvanians, New Yorkers, and New Englanders are no more. I am not a Virginian; I am an American. Slaves are to be thrown out of the question, and if the free-men can be represented according to their numbers, I am satisfied. I go upon the supposition that government is at an end. All distinctions are thrown down; all America is thrown into one mass."

The particularist view is, that the Declaration of Independence created thirteen sovereign and independent states, which found it advisable to send delegates to a common congress that should have, by virtue of an agreement made, the oversight of certain matters of interest to the thirteen independent nations, and that the enactment of these delegates could be enforced only to the extent that they met with the approval of the sovereign states which appointed them.

These two views had their advocates, but sedulous efforts were made to avoid any definite expression of the opinion that was to prevail. "Thus was begun that infinite series of compromises by which the American people have endeavored to put to one side certain national difficulties, by devising and passing resolutions which might be construed at will in senses the most diametrically opposite."

The national view of the status of the states and Congress lost ground after its first presentation, and the position of the particularists was soon accepted as the true one, being that in accordance with which all the affairs of the states and Congress were conducted during the revolutionary period.

#### ARTICLES OF CONFEDERATION.

On the 11th of June, 1776, Congress selected a committee to prepare a scheme of confederation. On the 12th of the following July the committee submitted to Congress the draft of the Articles of Confederation. On the 15th of November, 1777, the articles having been amended, were accepted

by Congress, and it was resolved to recommend them to the legislatures of the states for adoption. On the 1st of March, 1781, the legislatures of all the states had ratified the plan, and the new constitution was universally recognized as law. By these articles the states conferred upon the confederation certain specified powers, deemed essential to the protection of all. They pledged the faith of their constituents to abide by the actions of Congress on all questions arising within its jurisdiction. The Articles of Confederation constituted the first local government for all the colonies. "It revived hope, inspired confidence at home, commanded respect abroad, and led to a recognition of our government by other countries, and especially by France, which secured final success."

The states retained all the power not delegated to the confederate government by the instrumentality of its creation, and were really sovereign and independent, for there was no superior power to direct or control them or annul any of their actions. The articles were so framed that the states were as free and independent as if no confederacy existed. Thus they continued till the adoption of the national constitution, when they surrendered many essential powers.

The changes effected by the Articles of Confederation were rather of a negative than positive nature. The essential prerogatives which belong to a nation in its relation with foreign powers was confided by law to confederate authorities, from whom in practice all power was withheld.

#### THE WHIG PARTY.

The whig party, after the Declaration of Independence, advocated absolute separation from England, and continued as it had been from the beginning of the war, a serried phalanx against the giant power of George III. There belonged to this party those Americans who favored the cause of the Revolution, among whom were a large proportion of the phy-

sicians, the major part of the lawyers, nearly all the clergy, except those of the Episcopal faith, and a large number of young men eager for fortune and distinction in war. "Liberty Men" and "Sons of Liberty" belonged to this party. The whigs who engaged actively in the war for independence were called "patriots." Of the inhabitants of the thirteen colonies a majority were whigs. They were probably in the minority in some states, while in others they about equaled the tories. At the beginning of the war this party began to assume control of the civil and military affairs of the colonies, and throughout the struggle it directed the Continental Congress and the government of the states. The whigs contended for a cause as righteous as any that ever arrayed men in battle, and by their bravery and determination they broke the yoke of colonial vassalage and gained for the nations of the earth much of that which they gained for themselves.

The whigs were a unit on resistance to England, but from the moment they came into full concert there appeared new elements of political dissension. (1) The smaller states were jealous of the larger, and, for the sake of harmony, compelled Massachusetts and Virginia to various sacrifices. (2) There was a rivalry between the New England states and the states south of Pennsylvania on the ground that the interests of one section were commercial and manufacturing, while those of the other were agricultural, being devoted to raising great staples for a foreign market. (3) Inclination to British tastes and a disposition to pattern after England was against a sympathy for France and the new French school of philosophy. (4) One portion of the inhabitants favored sovereignty in the colony or state, another portion favored it in the central government, union, or confederacy. These causes of divisions are the germs of national political parties in America. In subsequent pages it will be seen that the latter element operated more powerfully than the others. (Plate VI.)

## THE TORY PARTY.

The colonists who adhered to the crown during the Revolutionary War constituted the tory party. They were the antagonists of the whigs, and opposed them in halls of debate before the war began, and afterwards in the field of battle. Among the tories were royal officials, some eminent attorneys, numerous physicians, dependents of royal landholders, some who were conservative or neutral at the opening of hostilities, and those who, fearing the strength of Great Britain, believed that a "successful resistance to her power was impossible." The tories, or royalists, comprised a considerable number of the force employed to suppress the rebellion of the colonies. It is probable that more than twenty-five thousand royalists enlisted in the military service of England, and arrayed themselves against the patriots. The whig populace awed and punished the tories in various ways. Some were tarred and feathered; some were smoked, waylaid, mobbed, and insulted, while others were deprived of office and driven from home. Against them the assemblies of the states, according to the offense committed, enacted laws inflicting such penalties as death, exile, imprisonment, confiscation of property, loss of personal liberty for a limited period, disqualification from office, and transportation to a British possession. These laws were in force at the treaty of 1783, which made no provision for the royalists; they were neglected by those they had aided, and banished by those they had opposed. When the English troops withdrew from America, the royalists abandoned the United States, and became the founders of Upper Canada and New Brunswick. The exiles appealed to Parliament for relief, and after several years of delay, received fifteen and one-half millions of dollars. In addition to this, many of them obtained "annuities, half pay as military officers, large grants of land, and shared

with other subjects in the patronage of the crown." Those royalists whose opposition to the patriots had not been great were allowed to remain in the United States. The issue on which their party was based died with the Revolution, and the tory party ceased to exist in 1783. (Plate VI.)

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## THE DECLARATION OF INDEPENDENCE.

IN CONGRESS, JULY 4, 1776.

## THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident : that all men are created equal ; that they are endowed, by their Creator, with certain inalienable rights ; that among these are life, liberty, and the pursuit of happiness ; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes ; and, accordingly, all experience hath shown, that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such a government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies ; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operations, till his assent should be obtained ; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise, the state remaining, in the meantime, exposed to all the dangers of invasions from without and convulsions within.

He has endeavored to prevent the population of these states; for that purpose, obstructing the laws for the naturalization of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us, in many cases, of the benefits of trial by jury;

For transporting us beyond seas to be tried for pretended offenses;

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its

boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of governments;

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatever.

He has abdicated government here by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun, with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms. Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind—enemies in war; in peace, friends.

We, therefore, representatives of the UNITED STATES OF AMERICA, in general congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, *Free and Independent States*; that they are absolved from all allegiance to the British crown, and

# MECHANICAL REPRESENTATION OF THE UNITED STATES.—1776-1781. SHOWING THE INDEPENDENCE OF EACH COLONY AND THE RELATION IT SUSTAINED TO THE CONTINENTAL CONGRESS.

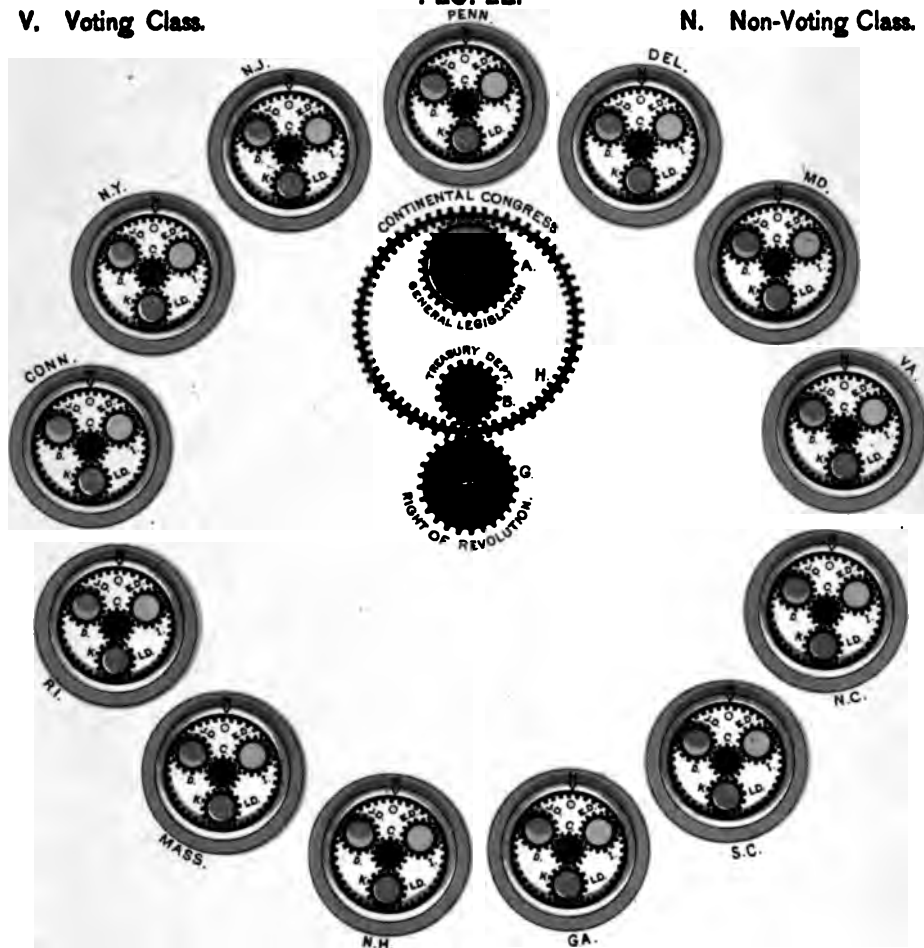
## EXPLANATIONS.

**NOTE.**—Read note in plate I. The action of the colonies in throwing off the British government was based upon the "right of revolution," this is put down as the fundamental law of revolutionary government. The plate shows that the "United States" were not "united;" that each was sovereign and independent, and obeyed Congress through no binding law. The officers of a department and their duties are represented by a round surface.

## PEOPLE.

### V. Voting Class.

### N. Non-Voting Class.



## LAWS.

O. Laws by which the Voting Class Operate with the Government.

I. Laws Controlling the Executive Department.

K. Laws Controlling the Legislative Department.

D. Laws Controlling the Judicial Department.

C. Constitution of the State.

A. Laws Controlling General Legislation.

G. Laws Controlling the Right of Revolution.

H. Laws Controlling the Continental Congress.

B. Laws Controlling the Treasury Department.



that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as *Free and Independent States*, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which *Independent States* may of right do. And for the support of this Declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

JOHN HANCOCK.

NEW HAMPSHIRE.—Josiah Bartlett, William Whipple, Matthew Thornton.

MASSACHUSETTS BAY.—Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry.

RHODE ISLAND, ETC.—Stephen Hopkins, William Ellery.

CONNECTICUT.—Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott.

NEW YORK.—William Floyd, Philip Livingston, Francis Lewis, Lewis Morris.

NEW JERSEY.—Richard Stockton, John Witherspoon, Francis Hopkins, John Hart, Abraham Clark.

PENNSYLVANIA.—Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross.

DELAWARE.—Cæsar Rodney, George Read, Thomas M'Kean.

MARYLAND.—Samuel Chase, William Paca, Thomas Stone, Charles Carroll, of Carrollton.

VIRGINIA.—George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, Jr., Francis Lightfoot Lee, Jr., Carter Braxton.

NORTH CAROLINA.—William Hooper, Joseph Hewes, John Penn.

SOUTH CAROLINA.—Edward Rutledge, Thomas Hayward, Jr., Thomas Lynch, Jr., Arthur Middleton.

GEORGIA.—Button Gwinnett, Lyman Hall, George Walton.

## CHAPTER IV.

## CONFEDERATION POLITICS.

## NATURE OF THE CONFEDERATION.

Delegates to Congress were elected by the legislatures of the several states, each sending not less than two. These were supported by the states appointing them, and subject to their recall. The delegates were to vote by states, each having one vote, thus placing the large and small states on equality. The states, without the consent of Congress, were prohibited from engaging in war, entering into treaties, or keeping troops and vessels of war, except in times of actual hostility.

The Articles of Confederation constituted a league of friendship for the common defense, the security of liberty, and the general interests of all. The confederation had the exclusive right of determining on peace and war; of entering into treaties and alliances; of sending and receiving ambassadors; of granting letters of marque and reprisal; of deciding cases of captures on land and water; of determining disputes concerning jurisdictions, boundaries, and other cases between the states; of emitting bills of credit; of borrowing or appropriating money; of coining money; and regulating the interests of the nation.

The eighth article was the one that rendered the government so inefficient. It provided that all charges of war, and all other expenses for the common defense and general welfare which Congress might allow, should be defrayed out of the common treasury. The several states were to supply this treasury in proportion to the value of all land within each state; but the levying of taxes for the payment of such pro-

portion was under the authority and direction of the legislatures of the several states. Congress promptly performed its duty by directing the collection of taxes, but the states seldom fulfilled their duty in making assessments. The necessity of compliance was not felt by the states, and their delays greatly embarrassed the government and rendered the efforts of Congress feeble and often ineffectual, where prompt and efficient action was indispensable to procure the safety and defend the honor of the country. It frequently happened that the authorized calls of Congress were entirely neglected. The failure of the states to perform their imperative duties prevented the confederate government from meeting its engagements or entering into new ones with the expectation of fulfilling them. The inability of Congress to act and perform their duties was the cause of the weakness and inefficiency of the confederation.

The union of thirteen sovereign states, which should preserve the rights of each and render efficient the authority of the general government, was a work fraught with inconsistencies and attended by almost insurmountable difficulties. It was only approximately attained under the Articles of Confederation.

An observer, living in the times of the confederation, said : "By this political compact, the United States Congress have the exclusive power for the following purposes, without being able to execute one of them : They may make and conclude treaties ; but they can only recommend the observance of them. They may appoint ambassadors ; but they can not even defray the expenses of their tables. They may borrow money in their own name, on the faith of the Union ; but they can not pay a dollar. They may coin money ; but they can not purchase an ounce of bullion. They may make war, and determine what number of troops is necessary ; but they



can not raise a single soldier. In short, they may declare everything, but can do nothing."

Chief Justice Marshall observed that "a government authorized to declare war, but relying upon independent states to prosecute it; capable of contracting debts and of pledging the public faith for their payment, but depending upon thirteen distinct sovereignties for the preservation of that faith, could only be rescued from ignominy and contempt by finding those sovereignties administered by men exempt from the passions incident to human nature."

#### DISTRUST OF POWER.

The political acts during the Revolution and confederation can not be understood without a knowledge of colonial opinion regarding all external power. To this there was a deep-rooted antipathy engendered by the years of struggle against the guardianship of Great Britain. This antipathy was extended to Congress, and in spite of the fact that it was composed of delegates from their own people, they viewed the body in the light of a foreign power. The people thought they must see in Congress what a "people is always apt to expect from a power foreign to the government of the state—unpleasantness, annoyance, and usurpation." This distrust steadily increased, and what information the Americans lacked on the most desirable form of government, they endeavored to supply by reasoning, and crude theories. This antipathy was not modified till experience taught American legislators that their scheme of government, according to the Articles of Confederation, was lacking in some of the most essential features. This was accomplished only by events that brought the country to the verge of anarchy.

#### WEAKNESS OF CONGRESS.

During the confederation period the distress grew greater

every year, and threatened to induce more serious complications. Congress was unable to pay the interest even when the principal was due. All efforts of the general government to secure from the states an adequate source of revenue were unavailing. They considered it a favor even to pay the least attention to requisitions made upon them. In the five years preceding 1787, New Hampshire, North Carolina, South Carolina, and Georgia contributed nothing; Connecticut and Delaware furnished about a third of their levy; Massachusetts, Maryland, and Rhode Island about one-half; Virginia three-fifths; Pennsylvania almost her entire quota.

The financial condition of the individual states was worse than that of Congress; for while there was no possibility of payment, repudiation was agitated, and the disposition to pay daily grew weaker. "Public confidence was shaken to such an extent, in consequence, that even private individuals of undoubted credit were obliged to pay a discount of from thirty to fifty per cent. on their notes. There was no market, especially for real estate, and sales for cash could be made, when at all, only at a great sacrifice." Each state had the exclusive right to regulate its commerce, and in doing so, regard was had only to self interest. This gave rise to many vexatious and petty jealousies. As a consequence, commerce was ruined, and faith in the permanency of American institutions was greatly shaken. The Americans frequently violated the treaty of peace, and England in turn followed their example. She refused to withdraw her troops from western posts, and protected Indians while they carried on border war against the settlers.

#### SHAY'S REBELLION.

The distress and misery growing out of the absence of government, caused loud and general complaints and provoked resistance to authorized authority. Malcontents in Massachu-

setts, who aimed at repudiation of public and private debts and a redistribution of property, were equal in number to the friends of state government. These malcontents, headed by Shay, rose in rebellion, creating a profound impression throughout the country. Old leaders of the Revolution became apprehensive and felt that the question of the existence or non-existence of the nation must be decided. General Knox wrote that there were "combustibles in every state to which a spark might set fire." General Washington wrote to Colonel Lee: "To be more exposed in the eyes of the world and more contemptible than we already are, is hardly possible." Gloom and apprehensions pervaded the public councils and private meditations of the wisest statesmen of the country. The rebellion was suppressed by the force of arms. Washington was implored not to remain neutral if civil war should begin throughout the country.

#### AGITATIONS TO AMEND THE CONFEDERATION.

In 1782, New York brought to the consideration of the people, the evils arising from the defects in the Articles of Confederation. Her legislature, George Clinton being governor, resolved, "That it is essential to the common welfare that there should be, as soon as possible, a conference as to the power of the confederacy, and that it would be advisable for this purpose to propose to Congress to recommend to each state to adopt the measure of assembling a general convention of the states specially authorized to revise and amend the confederation, reserving a right to the respective legislatures to ratify their determinations."

This first action upon the subject of modifying the confederation was followed in 1783 by resolutions of Congress, recommending the states to invest the general Congress with specified power to raise revenue for the restoration and maintenance of the public credit. These resolutions were trans-

mitted to the states with an address, prepared by Mr. Madison, "which was one of the ablest state papers of those times."

In 1784, Congress declared that unless they should be vested with powers sufficient to protect commerce, they could never command reciprocal advantages in trade, and that without these, foreign commerce would eventually be annihilated. This declaration was followed by a proposition to confer special powers upon Congress for fifteen years; but this was not ratified by a sufficient number of states. Official returns this year, though only one year after the close of the war, showed that the whole army of the nation was reduced to eighty persons.

In 1785, James Monroe submitted to Congress a report which proposed a permanent change in the Articles of Confederation, that would confer on Congress full power to regulate trade and conduct the operations of the government. The consideration of the report did not result in conferring the necessary powers.

The same subject was again before Congress, February 15, 1786, on the report of a committee, of which Rufus King was chairman. The report concluded as follows: "Thus circumstanced, after the most solemn deliberation, and under the fullest conviction that the public embarrassments are such as above represented, and that they are daily increasing, the committee are of opinion that it has become the duty of Congress to declare, most explicitly, that the crisis has arrived when the people of these United States, by whose will and for whose benefit the federal government was instituted, must decide whether they will support their rank as a nation, by maintaining the public faith at home and abroad, or whether, for want of a timely exertion in establishing a general revenue, and thereby giving strength to the confederacy, they will hazard not only the existence of the Union, but of

those great and invaluable privileges for which they have so arduously and honorably contended."

This report was adopted, and the subject of raising revenue was again presented to the states, which took at different times various and inharmonious action. The subject was again before Congress on the 3d of March, 1786, and once more on the 23d of the following October. But these proceedings accomplished nothing, except to arouse public attention to the necessity of taking prompt measures for securing sufficient revenue to meet the exigencies of the government. The agitation deeply impressed the public mind, and prepared the people for the changes which, of necessity, must soon be made.

#### THE ANNAPOLIS CONVENTION.

In 1786 recommendations similar to those adopted by New York in 1782, were made by several states. This resulted in the appointment of delegates from Virginia, New York, New Jersey, Pennsylvania, and Delaware, who met at Annapolis, on the 11th of September, 1786, at the invitation of the legislature of Virginia, to consider how far a uniform system in their commercial relations might be necessary to their common interest. But only five of the thirteen states being represented, and the delegates being satisfied that their powers were too limited to accomplish what the country demanded, contented themselves with drawing up a report, which was laid before Congress and the legislatures of the states. The report recommended the call of a general convention of delegates from each of the states, "to meet at Philadelphia, on the second day in May next, to take into consideration the situation of the United States; to devise such further provisions as shall to them seem necessary to render the constitution of the federal government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States, in Congress assembled, as, when agreed to

by them, and afterward confirmed by the legislature of every state, will effectually provide for the same."

The proceedings of this meeting were communicated to Congress, which considered the subject and adopted the following resolutions:

"WHEREAS, There is provision in the Articles of Confederation and Perpetual Union for making alterations therein, by the assent of a Congress of the United States, and of the legislatures of the several states; and whereas, experience hath evinced that there are defects in the present confederation, as a means to remedy which several of the states, and particularly the state of New York, by express instructions to their delegates in Congress, have suggested a convention for the purposes expressed in the following resolution; and such convention appearing to be the most probable means of establishing in these states a firm national government:

"*Resolved*, That, in the opinion of Congress, it is expedient that on the second Monday in May next a convention of delegates, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the Articles of Confederation, and reporting to Congress and the several legislatures such alterations and provisions therein as shall, when agreed to in Congress, and confirmed by the states, render the federal constitution adequate to the exigencies of government and the preservation the Union."

The several states complying with this resolution appointed delegates to meet in convention at the appointed time and place.

#### CONSTITUTIONAL CONVENTION, 1787.

When the recommendation was made which had been advised by the Annapolis convention, the advocates of a strong government acted with the utmost energy to induce all the legislatures to send delegates to the convention and to select

for that purpose the most distinguished men of the country, "that their very names might suffice to keep the party of anarchy within bounds."

The presence of Washington at the convention was deemed of the utmost importance, for he held a place in the hearts of the people which no one else occupied, and such as no other can occupy again. Everything he touched seemed to be invested with a kind of sacredness, while to impute wrong motives to him was a "species of high treason and an unpardonable offense against human nature." He did not wish to act as a delegate, but after mature deliberation he did so, only because he saw in the convention the only hope of a future union of the states.

The delegates began to convene on the 14th of May, 1787. Eleven days passed before a majority of the states was represented. George Washington was elected president. Six signers of the Declaration of Independence appeared as delegates, and took part in the proceedings.

The members of the convention realized the immense responsibility which rested upon them, and felt sure that their only alternative was mutual concession or the ruin of the country. It was decided to carry on transactions with closed doors, that an excited people might not parade before the country the proceedings of the convention at a time when they could not be properly understood and defended. A goodly number of the delegates would not restrict themselves to a literal interpretation of their powers. They were authorized only to propose amendments to the Articles of Confederation; but they were convinced that all such attempts would only "postpone the day of ruin, and that the source of evil could be destroyed only by giving the constitution a national basis." They did not hesitate in their choice between exceeding their powers, and the preservation of the country. It would have been dangerous to the future of the

country if this decision, when first made, had been known to demagogues and the honest opponents of a strong central government.

There were disputes and dissensions in the convention which were difficult to be allayed. On two of the most important questions the delegates were so opposite in their views that it seemed almost impossible to mediate between them; for attempts at compromise appeared to widen the gaps between the opponents. When every prospect of an understanding seemed to have vanished, the white-haired Franklin proposed that henceforth the sessions should be opened with prayer, for since the wit of man was exhausted, there was no hope of help except from heaven. The vital points at issue were the equality of state representation and protection to the interests of slaveholders.

After the lapse of nearly four months, the delegates agreed upon a plan, and on the 17th of September unanimously resolved that it be adopted by the states represented at the time. The convention declared that the consent of nine states should give force to the new constitution, so far as these nine states were concerned. The instrument was now before the people for adoption; but the difficulties to be surmounted here were equal to those which had appeared in the convention.

#### ADOPTION OF THE CONSTITUTION.

The moment the proposed constitution was made public the particularists began to wage a most severe and energetic opposition. Moderation and reason seemed to forsake them; the most fanatical assuming the lead and using weapons most blunt and brutal. The strong government men were called federalists, and the particularists, anti-federalists.

The federalists, who favored the constitution, were at first less in number than the particularists. Their prospects were gloomy, and the struggle before them was difficult. They



fought with experience and understanding, and their arguments were such as to gain numbers from the opposing ranks.

For ten months America was a debating school between the federalists and the anti-federalists, the former having the ablest writers, and, with a few exceptions, the most influential speakers. Each state was a battle ground, and its action was watched with eagerness by both parties, as its decision would have a tendency to turn the scale for or against the constitution. In December of 1787, Delaware, Pennsylvania, and New Jersey took favorable action upon the new government. Delaware has the honor of being the first state to ratify the constitution. Pennsylvania was carried by political strategy. The constitutionalists having the ascendancy in the legislature, called a convention, but gave only ten days for the choice of delegates. This cut off the anti-federalists of western Pennsylvania from all chance at participating in the convention. To gain time the opposition absented themselves, leaving the convention without a quorum, but two of the absentees were carried into the house and held in their seats while the quorum thus secured adopted the constitution. It was alleged by those who protested, that but thirteen thousand of the seventy thousand votes in Pennsylvania were represented in the convention. The federal constitution was carried by a vote of forty-six to twenty-three.

In Delaware and New Jersey the vote for the constitution was unanimous. The example of the powerful state of Pennsylvania was a great stimulus to the federalists. In January, 1788, Georgia ratified unanimously and Connecticut by a handsome majority. But the real toil now commenced, for the first enthusiasm of the cause had spent much of its force. The anti-federalists were fully organized and had developed unexpected strength in the states which had not taken action. Rhode Island would not call a convention. Five states had ratified; nine were necessary; and

which should be the other four could not be told. Massachusetts turned the scale. The constitution as presented was not acceptable to the convention ; but nine amendments were drawn up and submitted for consideration. With the understanding that these amendments would become a part of the constitution, the convention ratified by the close vote of one hundred and eighty-seven to one hundred and sixty-eight.

The action of Massachusetts decided the fate of the constitution. Her plan of submitting amendments solved the difficulty at the right time ; for the constitution as prepared at Philadelphia could not have been carried. Here was a chance for the anti-federalists to accept a compromise and claim some of the honor of adopting the constitution. This they did not do, but, taking their stand in favor of utter rejection, they persisted to the last in reckless and illogical reason. The federalists took advantage of this new resource, and, trusting in the good sense of the people, insured victory with the best fruits of it.

In April, the Maryland convention ratified, by a vote of sixty-three to eleven, and in May, South Carolina adopted the constitution by one hundred and seventy-nine to seventy-three. Eight states had now taken favorable action, and one more was necessary. Neither North Carolina nor Rhode Island would ratify. The ninth state must be New Hampshire, New York, or Virginia. The contest in Virginia was on terms more nearly equal than in any other state. George Mason, James Monroe, and Patrick Henry opposed the constitution ; George Washington, James Madison, Chancellor Wythe, Governor Randolph, Edmond Pendleton, and Thomas Jefferson supported it. Neither Washington nor Jefferson was in the convention, but their influence was in behalf of the new experiment. Jefferson was at first "nearly a neutral ;" when, however, the plan of submitting amendments, as initiated by Massachusetts, was made known to him, he said

the instrument had his hearty prayers. The Virginia convention, submitting a long list of amendments, ratified in June, by a majority of ten. Four days prior to this vote, New Hampshire took favorable action and became the ninth ratifying state. Ten states had now accepted the constitution, rendering the new instrument secure.

The fourth of July was close at hand, and the coming anniversary of American independence was made by the federalists a day of unwonted jubilee.

On the 26th of July New York, by a bare majority, became the eleventh ratifying state. Inflationists in North Carolina and Rhode Island held the balance of power and prevented those states from ratifying before the new government was organized.

Necessity was that which decided the question, and which encouraged the federalists to continue their efforts till they could win over a sufficient number of the opposing majority. The scale was wavered to the last, but in the end the federalists triumphed, and the constitution was accepted with reluctance as the only hope of the existence of the United States.

Alexander Hamilton, of New York, and James Madison, of Virginia, were distinguished advocates of the constitution, and the country owes them a lasting debt of gratitude for their untiring efforts in securing to posterity a substantial and lasting government.

#### PRESIDENTIAL ELECTION OF 1789.

The first Wednesday in January, 1789, was set by the Continental Congress for the choice of presidential electors, the first Wednesday in February for the choice of a President and Vice-President of the United States by electors, and the first Wednesday in March for commencing proceedings under the constitution. New York was selected by Congress as the place for inaugurating the new government. The whole

country leaned upon Washington with equal confidence and safety. He was not known to be a federalist or an anti-federalist, beyond the assurance given that he was on the constitutional side. He was selected for President without a competitor. There were a number of candidates for the Vice-Presidency, the most prominent among whom were John Hancock, Samuel Adams, and John Adams. The latter, having returned from a mission at London, was chosen by the electors Vice-President of the United States. According to the constitution, at that time, the candidate who received the greatest number of electoral votes in the aggregate, if a majority, became President of the United States, while the one who received the next largest number of votes would be Vice-President. The unanimous vote for Washington was sixty-nine; the vote for Adams was thirty-four.

This first trial of the electoral plan showed that the states were exposed to the danger of secret cabals among party leaders.

#### WORK OF THE CONTINENTAL CONGRESS.

Amid all the discouraging circumstances, Congress never lost sight of the great object for which America was contending. While danger was great, the states supported it and complied with its wishes; but as this stimulus to action was removed the recommendations of Congress were neglected, and finally the body was scoffed at for its impotence, the states boasting of their neglect of duty. But the general Congress, with all its embarrassments, performed the arduous labors to which it had been called, with honor to itself and credit to the country. Its most important legislation, after concluding the treaty of peace, was the enactment of the ordinance of 1787, entitled, "An ordinance for the government of the territory of the United States northwest of the Ohio." This ordinance secured freedom to the inhabitants of the territory,

and remains a lasting monument to the wisdom and foresight of Congress, standing out as the last brilliant achievement of a paralytic, dying assembly, "which in the first immortal prime had rung its clarion across the seas."

#### PARTY ACTION FROM 1781 TO 1787.

When the revolutionary war ended, there was but one party in the United States. It was composed of whigs, and had no organization; nor did it need any, because its former opponents, the tories, had been killed, banished, converted, or allowed to remain in political obscurity. The powers over the colonies, which the king had abandoned, were seized by the state legislatures, and formally held through the Articles of Confederation. "State pride increased as the Union languished." From the close of the war to 1787, political issues were chiefly local and uninteresting, the tendencies of party being to denationalize and break up into fragments. In each state, the road to popularity was to laud and foster state pride and inspire a jealousy of the Continental Congress. Conservative whigs complained that the treatment of the tories by the radical whigs had been too severe, and obtained for the royalists, in some states, a modification of the most severe confiscation acts. Over the adoption of state constitutions there were differences of opinion, some framers advocating one thing and some another. The amendment of the constitution of Pennsylvania occasioned a violent political contest, the people arraying themselves in two opposing parties; those seeking to amend the state constitution were styled "republicans;" those opposing all change were styled "constitutionalists." No organization of national parties on ballot-box issues was known in America prior to the constitutional convention of 1787. The simplest mechanism of political parties was but little known and appreciated. (Plate VI.)

## PARTICULARISTS.

The American whigs were composed of men holding opposite views on national government. The mass of the population held to the idea that the state government should be supreme. They were devoted to the worship of their native commonwealth, and inclined to look upon a central government very much as they had looked upon the sovereign of England. They were unwilling that a central authority should have power to coerce a state. They feared that a national government would deprive the states of their freedom, and establish over them a sovereignty as objectionable as the one from which they had freed themselves by the force of arms. They believed in a central government, limited in powers, democratic in spirit, and republican in form; but they were jealous of delegated authority, and looked with suspicion upon every effort tending toward centralization of government. They had been brought to these conclusions by their own experience and that of their forefathers, on "whose hearts the fires of persecution had burned a hatred of royalty too deep to be erased." Such was the belief of a large majority of the American whigs, and because of their devotion to their separate commonwealths, they are appropriately styled "particularists." (Plate VI.)

## STRONG-GOVERNMENT MEN.

Apart from the majority of whigs who constituted the particularists, there were a few advanced thinkers, like Hamilton, who foresaw the evils that would arise without a modification of existing government among the states, and who believed that a government modeled after that of England should be established over the United States. They thought that the government of the states should be reduced in importance, and much of their authority conferred upon a cen-

tral government. Without such modifications, they did not believe the exigencies of the public service could be met. These partisans are called "strong-government men." The pressing matters of the Revolution prevented a discussion between the particularists and strong-government men; but during the dull seven years between the close of hostilities and the constitutional convention the weakness of the confederation caused the latter to gain some adherents. (Plate VI.)

#### FEDERAL PARTY.

Notwithstanding the bad government which followed the Revolution, there was great material prosperity in the United States. Commerce had developed a commercial class, capital a creditor class, and in the south, property, a property-owning class. These classes, being strong-government men, united for the control of the constitutional convention of 1787, and forming a new party, left the particularists to their prejudices. When the constitution was published for ratification, local issues were absorbed into the national one, "and in a brief space the whole country was studded with the camps of two great political parties." The friends of the constitution initiated the campaign, and put forth their efforts to secure the ratification of the new instrument. They assumed for themselves the name of "federal," and fixed upon their opponents the appellation of "anti-federal." The government of the confederation was strictly federal, and it would seem natural that those who favored it should take the name of federal; but the constitutionalists, or strong government men, for political effect, captured this name, though the government for which they contended was less federal than that supported by their opponents. The constitutionalists, in managing their cause, avoided putting stress upon the national feature of their new plan, and, boasting little of the merits of the constitution, they sought, most of all, to per-

suade the people that without its adoption disunion was inevitable. They entered the field prepared for the contest, having been organized for action by their efforts prior to and during the convention. Though at first in the minority, they possessed the advantages of tact, ability, organization, and a definite remedy for existing evils. They heard at the convention arguments for and against the constitution, and entered the political arena fully prepared for their task.

When the anti-federalists stated their objections to the new constitution, they were met by a "complete exposition of the new plan, article by article, in the public prints." Discussions upon the subject of ratification were carried on through the press, in local legislatures, and in public assemblies. In a New York newspaper, there appeared under the name of Publius, eighty-five short, pithy, and animated essays, favoring the adoption of the constitution. These essays, written by Hamilton, Madison, and Jay, have been preserved in a book called the "Federalist," "which is a classic in American political literature." The Federalist was more influential than all other campaign documents, and it is regarded this day as the best commentary ever written upon the national constitution. Jay, Wilson, Hamilton, and Madison were especially conspicuous as federal leaders. The labors of the federalists had the desired effect, and to them belongs the honor of creating a governmental machine which satisfies the American people, and meets the demands of our public service. (Plate VI.)

#### THE ANTI-FEDERAL PARTY.

When the plan of union under the constitution was made public, the particularists arrayed themselves against it and supported the old government, which was strictly federal in its nature. Because of this support the name of federal would naturally belong to them; but the efforts of Gerry and a few



other particularists to secure this party title and give their opponents that of anti-federal were not successful. Their opponents had assumed the title of federal because of its popularity, and because of their desire to form a new federal government, and thus they fastened upon the particularists the title of anti-federal, a name which they quickly accepted as indicating opposition to a strong federal government under the constitution. There belonged to this party all who considered the constitution theoretical, and an attempt to imitate European monarchy; all the local magnates who feared that the new central power would overshadow them; and "all the small farmers who dreaded the addition of federal to state taxes." Their opposition to the new instrument was overcome in all the states except Rhode Island and North Carolina.

In objecting to the constitution the anti-federalists urged that its adoption would consolidate the states; would endanger personal liberty, since the instrument furnished no security for freedom of speech and liberty of the press; would place standing armies under too little restraint; would force smaller states to sacrifice to the larger; and would empower the federal judiciary to enforce the collection of British debts under the treaty of 1783. The friends of repudiation, stay-laws, state paper money, and the dismembering of old states belonged to the anti-federal party. Much of the anti-federal criticism was just, and especially that part which required a fuller bill of rights. The weakest parts of the constitution escaped notice, the federalists leaving their opponents to find them out as best they could.

The anti-federal party "represented very fairly the ideas and feelings that prevailed with the masses during the Revolution." Patrick Henry, Samuel Adams, John Hancock, and George Clinton were most prominent among the anti-federal leaders. This party distrusted the motives of the op-

position and feared that the strong government which the federalists wished to establish would be disposed to grasp at power and become, eventually, oppressive and tyrannical. Their suspicions led them to antagonize measures which they otherwise would have supported. They appealed to the peace the country was enjoying as an evidence that the condition of the nation was not as deplorable as represented by their opponents. They regarded the confederation as sufficient to meet the wants of the Union. Nothing but necessity led them to a change of opinion. As by degrees the Union approached dissolution, certain anti-federalists would accept the views of the opposition. In every state they fought the constitution, yielding only as compelled by necessity and the arguments and tactics of the federalists. The anti-federal party was in power till the beginning of the government under the constitution. The opposition of the anti-federals was not without fruits, since through them was obtained amendments to the new instrument, securing such provisions as ultimately reconciled all Americans and aided in engendering for the constitution an admiration in all sections of the Union. (Plate VI.)

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ARTICLES OF CONFEDERATION AND PERPETUAL UNION BETWEEN THE STATES.

To all to whom these presents shall come, we, the undersigned delegates of the states affixed to our names, send greeting:

WHEREAS, The delegates of the United States of America in Congress assembled, did, on the 15th day of November, in the year of our Lord 1777, and in the second year of the independence of America, agree to certain articles of confederation and perpetual union between the states of New Hampshire, Massachusetts-bay, Rhode Island and Providence Plantation, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in the words following, viz:

“Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts-bay, Rhode Island and Providence Plantation, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.”

ARTICLE I. The style of this confederacy shall be “The United States of America.”

ARTICLE II. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE III. The said states hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, on account of religion, sovereignty, trade, or any other pretense whatever.

ARTICLE IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in the Union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and that the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the owner is an inhabitant; provided also, that no imposition, duties, or restriction shall be laid by any state, on the property of the United States, or either of them.

If any person guilty of, or charged with treason, felony, or other high misdemeanor in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the Governor or executive power, of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offense.

Full faith and credit shall be given in each of these states to the records, acts, and judicial proceedings of the courts and magistrates of every other state.

ARTICLE V. For the more convenient management of the general interest of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No state shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in any meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance in Congress, except for treason, felony, or breach of the peace.

**ARTICLE VI.** No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince, or state; nor shall any person holding any office of profit or trust under the states, or any of them, accept any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imports or duties, which may interfere with any stipulation in treaties, entered into by the United States in Congress assembled, with any king, prince, or state, in pursuance of any treaties already proposed by Congress to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any state, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defense of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only as in the judgment of the United States in Congress assembled, shall be deemed requisite to govern in the forts necessary for the defense of such state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and have constantly ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted; nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state and the subjects thereof against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

**ARTICLE VII.** When land forces are raised by any state for the common

defense, all officers of or under the rank of colonel shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII. All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated, according to such modes as the United States in Congress assembled shall from time to time direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and directions of the legislatures of the several states, within the time agreed upon by the United States in Congress assembled.

ARTICLE IX. The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article; of sending and receiving ambassadors; entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever; of establishing rules for deciding, in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated; of granting letters of marque and reprisal in times of peace; appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining finally appeals in all cases of capture, provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following: Whenever the legislative or executive authority, or lawful agent of any state in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given, by order of Congress, to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to

constitute a court for hearing and determining the matter in question; but if they can not agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen, and from that number not less than seven, nor more than nine names, as Congress shall direct, shall, in the presence of Congress, be drawn out by lot, and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination; and if either party shall neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or being present, shall refuse to strike, the Congress shall proceed to nominate three persons out of each state, and the secretary of Congress shall strike, in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned; provided that every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the state where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection, or hope of reward;" provided, also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands, and the states which passed such grants are adjusted, the said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The United States in, Congress assembled, shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states; fixing the standard of weights and measures throughout the United States; regulating the trade and managing all the affairs with the Indians, not members of any of the states; provided that the legislative right of any state within



its own limits be not infringed or violated; establishing or regulating post-offices from one state to another throughout all the United States, and exacting such postage on the papers passing through the same as may be necessary to defray the expenses of the said office; appointing all officers of the land forces in the service of the United States, except regimental officers; appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States; making rules for the government and regulation of said land and naval forces, and directing their operations.

The United States, in Congress assembled, shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "A committee of the states," and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses—to borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective states an account of the sums of money so borrowed, or emitted—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisition shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm, and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled. But if the United States, in Congress assembled, shall, on consideration of circumstances, judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number can not be safely spared out of the same, in which case they shall raise, officer, clothe, arm, and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into

any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army and navy, unless nine states assent to the same; nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the vote of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than for the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request, shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X. The committee of the states, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine states, shall, from time to time, think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the Congress of the United States assembled is requisite.

ARTICLE XI. Canada, acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII. All bills of credit emitted, moneys borrowed, and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

ARTICLE XIII. Every state shall abide by the determinations of the United States in Congress assembled, on all questions which, by this confederation, are submitted to them. And the Articles of this Confederation shall be inviolably observed by every state, and the Union shall

be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterward confirmed by the legislatures of every state.

AND WHEREAS, It hath pleased the Great Governor of the world to incline the hearts of the legislatures, we respectively represent in Congress, to approve of, and to authorize us to ratify the said Articles of Confederation and perpetual Union. Know ye, that we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and perpetual Union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions which by the said confederation are submitted to them; and that the articles thereof shall be inviolably observed by the states we respectively represent; and that the Union shall be perpetual. In witness whereof we have hereunto set our hands in Congress. Done at Philadelphia, in the state of Pennsylvania, the 9th day of July, in the year of our Lord, 1778, and in the third year of the Independence of America.

1954-1955 PROPOSAL FOR THE UNITED STATES UNDER THE ACT OF COOPERATION 1951-1952



## CHAPTER V.

## WASHINGTON'S ADMINISTRATIONS.

1789—1797.

## FEDERAL PARTY IN POWER.

March 4th, 1789, was the time fixed upon for the formal **First Congress**, } inauguration of the new government, but it  
**Extra Session.** } was not until April 6th that a sufficient number of Congressmen arrived in New York to constitute a quorum and count the electoral votes. Washington took the oath of office April 29th, the Vice-President having taken his place as president of the Senate a few days before. Thus, at the dissolution of the confederation, the Federal party passed into power and assumed control of the national legislature. The first duty of the party was that of organizing a government based upon the constitution—a task requiring time, patience, and deliberation. Washington, wishing to be a mediator between the political parties, and to show that the administration had only the best wishes of the country at heart, formed his cabinet of men holding opposite political views. In a democratic state like ours the executive can not long hold the position of a mediator if he is not sustained by a compromise party among the people. Washington himself, so well fitted to play this part, was forced more and more to surrender his position in relation to parties. His first administration was devoted to the establishment of an internal policy. The anti-federalists became the determined opponents of this policy, as well as of his external policy developed during his second administration.

## ANTI-FEDERALS ORGANIZE.

At the beginning of Washington's administration the anti-federals did not constitute an organized opposition to the party in power; but as new measures of the government were advanced, they were taken as issues for drawing party lines, and for perfecting and strengthening the ranks of the minority. The antagonistic views held by Hamilton and Jefferson, members of Washington's cabinet, on the subject of government, aided greatly in establishing party lines. Their ideas made their way into Congress, thence among the people, and formed, principally, the issues on which the political parties were divided for a number of succeeding administrations. Hamilton was the leader of the federal party, and Jefferson of the opposition.

## TARIFF AND THE REGULATION OF COMMERCE.

During the first session of Congress a law was passed, in which the principle of a protective tariff was recognized by declaring it to be "necessary for the support of government, for the discharge of the debts of the United States, and the encouragement of manufactures, that duties be laid on goods, wares, and merchandise imported." In the passage of this measure the government recognized the principle of a protective tariff, and the discussion which it called forth mainly shaped the issues on this question for all subsequent controversies. Hamilton's report on the subject, made after the law was passed, is regarded by free-traders as most cunningly devised, and by protectionists as containing arguments never yet answered. The policy of coercing foreign states by means of commercial restrictions had its beginning also in this measure, which, carried out by Mr. Jefferson in the embargo and non-intercourse acts, resulted ultimately in war with Great Britain.

## BILL OF RIGHTS.

One of the serious objections to the constitution before its ratification was "the absence of a distinct bill of rights recognizing the fundamental principles of government; the equality of all men, and their rights to life, liberty, and the pursuit of happiness." The objections to the constitution, which had been pointed out before its adoption, were condensed during the first session of Congress, and moulded into a bill of rights, "consisting of twelve articles, ten of which were afterward ratified and incorporated as amendments into the constitution." These expressly guarantee freedom of religion, speech, person, and property. They were urged by the more moderate anti-federalists and positively requested by several states, while two states constantly refused to enter the Union because of the defects of the constitution. These considerations determined their adoption. They were opposed by the extreme anti-federalists, who considered them "delusive and insufficient, and only calculated to create a fatal feeling of security against centralized government."

After adopting measures for the organization of the different departments of government, and directing the secretary of the treasury to prepare a plan for the settlement of the public debt, Congress adjourned September 29th, until the following January.

## STATE SOVEREIGNTY.

That the interests of the states should be guarded with jealous care was the most prominent political idea in the minds of anti-federals under the confederation. When the new government went into operation their views were not changed, and they continued to base their party upon the leading ideas that delegated authority should be regarded with distrust, and that the power of a state should be su-



preme. The burden of their speeches was the danger to the rights of the states, which were threatened on every side. Every question was discussed with direct reference to its bearing on state sovereignty. The new constitution seemed to them fanciful and experimental, and calculated only to wrest from the states the liberties they had gained by the sword. They were strengthened in their distrust by what appeared to be the monarchical tendencies of the federals and their broad construction of the constitution.

#### FINANCIAL POLICY.

Congress convened at Philadelphia, January 4, 1790. Leg-  
**First Congress,** } islation upon finance began with this session  
**First Session.** } of Congress and was carried on in accordance with Hamilton's policy. The subjects of debts, internal revenue, and a United States bank came under consideration. The situation of the country, financially speaking, was very embarrassing. European powers looked down upon the United States with unconcealed contempt, and their good opinion could be regained only on condition that the credit of the government be restored. Hamilton recognized that the government should first of all direct its attention to the adjustment of financial difficulties.

On January 9th, in pursuance of the direction of the previous session, he submitted his report on the settlement of the public debt. He recommended as follows: First, that the foreign debt of the confederacy be assumed and paid in full; second, that the domestic debt of the confederacy, which had fallen far below par, also be paid at its par value; and third, that the debts incurred by the states during the Revolution, and still unpaid, be assumed and paid in full by the federal government. The first recommendation was adopted unanimously. The second encountered strong opposition, even from Madison and many moderate anti-federalists. They op-

posed it on the ground that the domestic debt was held by speculators who had bought it at a heavy discount, and would thus gain a too great interest on their investment. The supporters of the measure argued that for that very reason, if for no other, they should be paid, as it would greatly strengthen the national credit and teach the holders of United States securities not to dispose of them at such a discount. After a heated discussion, the recommendation was adopted. Hamilton's third recommendation involved the questions of state and federal supremacy. It therefore united all the anti-federalists in a determined opposition. They feared that this would permanently attach the "money power" to the federal government and thus weaken the power and importance of the states. This recommendation was adopted by a vote of twenty-six to thirty-one. The anti-federalists, however, being reinforced by seven newly arrived members from North Carolina, moved and carried a reconsideration of the third resolution, which they succeeded in voting down by a majority of two. Its final adoption was secured by the federalists agreeing to vote that the seat of government, after remaining ten years at Philadelphia, should be fixed upon the Potomac river. This secured two anti-federalist members from the Potomac, which carried the resolution. The immediate effect of adopting Hamilton's report was to appreciate the credit of the United States; but it caused the anti-federals to complete their organization in opposition to the administration, and added to their ranks a number of federals, among whom was James Madison, who had done more than any other man, besides Hamilton, to effect the adoption of the constitution.

#### THE DEBT.

The debt, foreign and domestic, including also twenty-five millions of the state debts which the secretary of the treasury

proposed to assume, at this time amounted to over \$75,000,000. The assumption by the federal government of the debts of the states and the funding of the national debt were the two principal pillars on which the new political structure was made to rest. The assumption bill elicited a memorial from the Virginia assembly, petitioning that the measure be repealed to prevent a change in the form of the national government.

#### NATIONAL BANK.

Congress met December 6, 1790. During this session **Hamilton** proposed the establishment of a **National Bank**. The anti-federalists strongly opposed it, basing their opposition mainly on the question of constitutionality. They claimed that it was not authorized by the constitution; that it was not necessary to the exercise of any powers expressly given by that instrument; that it would prevent the states from maintaining banks; and would give to the place where the bank was located an advantage over all others. The federalists claimed, on the other hand, that Congress having the power to pass laws necessary for the collection of revenue and taxes might constitutionally charter a bank to act as financial agent of the government. The bill passed both houses of Congress, but before affixing his signature to the bill the President required the written opinion of the members of his cabinet as to its constitutionality. **Hamilton** and **Knox** decided that it was constitutional and **Jefferson** and **Randolph** expressed a contrary opinion—the first instance of open disagreement of importance in the cabinet. In accordance with the opinion of the first two, the President signed the bill.

#### INTERNAL REVENUE.

This Congress passed also an excise law, imposing a tax on spirituous liquors distilled within the United States. The opposition to this measure was very wide-spread, and was

most violent in the western counties of Pennsylvania. The constitutionality of the law was not at first attacked, but it was not long before it came to this. Four counties rose in insurrection, defied the authority of the government, tarred and feathered a tax collector, robbed him of his horse, and committed other acts of violence. Hamilton's object in recommending this law was at first purely a financial one, but seeing that the powers expressly conferred by the constitution would, in their exercise, meet with great opposition under all circumstances, he urged that the struggle be brought to an issue before the opposition had time to consolidate their forces. Congress adjourned March 3, 1791.

#### MILITIA.

After three years of disobedience to law, the administration determined "to try whether the new constitution had really created a government." Accordingly fifteen thousand militia were called out (1794), and their appearance in the rebellious districts restored the insurgents to order. When the militia were called for, "vials of gall" by the anti-federalists were poured out upon Hamilton, who had advised the measure. They called him a despot and a usurper; prophesied that the militia would not obey orders; that civil war would ensue; and that the insurgent counties would secede from the Union.

#### SLAVERY.

While the financial questions were before the country, a Pennsylvania society petitioned Congress to use its powers to stop the traffic in slaves. On the question of referring the petition to a committee, there ensued, sectional rather than political in character, a violent debate on the question of slavery, the first in the history of the Union. "The complete independence of the state was the basis of argument on this subject, and judgment was passed on the whole ques-

tion of slavery from the standpoint of general ethics." Before the discussion closed, the threat of civil war was heard. This agitation produced no immediate practical results, nor did Congress then recognize that it was the rock upon which the Union would be ultimately shattered. In 1793 a fugitive slave law was enacted.

#### PARTY ORGANIZATION.

Congress met October 24, 1791. This Congress served to **Second Congress, } fairly initiate the work of party organiz-**  
**First Session. } ation.** The federalists had now become fully committed to the line of policy initiated in the report of Secretary Hamilton. The anti-federalists, on the other hand, were united in opposition to it. Mr. Hamilton was considered the leader of the federal party, and Mr. Jefferson of the opposition. The latter opposed the bills for an increase of the army and of the tariff, which were introduced this session, but both bills became law. An apportionment bill was passed this session, which increased the number of the House of Representatives to one hundred and five. Congress adjourned May 8, 1792.

#### ELECTION OF 1792.

Congress met November 5, 1792. The presidential elec- **Second Congress, } tion took place on November 6; Wash-**  
**Second Session. } ington being unanimously elected.** Adams was again chosen Vice-President. It was Washington's wish to retire to private life at the close of his first term, but being convinced that a majority of the people desired his continuance in office he consented to become a candidate.

This session of Congress was mainly engaged in passing measures for the raising and expenditure of the revenue. The only party contest of the session was an attempt by the republicans to pass a vote of censure on Secretary Hamilton

for his management of the treasury, and his somewhat discourteous language in a message to the House. The attempt, however, was unsuccessful. Congress adjourned March 2, 1793.

During Washington's first administration four states were admitted into the Union, as follows: North Carolina, November, 1789; Rhode Island, May, 1790; Vermont, March 4, 1791, and Kentucky, June 1, 1792.

#### FRANCE.

"The French Revolution was at first hailed with delight by both parties in the United States;" but as the revolutionists grew bold in excess, sympathy was withdrawn from them by the federals, and increased for them by the anti-federals, whose favoritism in this direction continued more than two decades.

#### FOREIGN POLICY.

The condition of our foreign relations demanded the attention of the President at the beginning of his second administration. So popular did the course of the French revolutionists become in the United States that citizens were desirous to aid France in her war against England. The relations formerly existing between the United States and these two powers rendered it impossible to establish a line of policy at once just to those nations, and acceptable to the American people. After mature deliberation, Washington issued (April 22, 1793) his celebrated proclamation of neutrality, by which the United States were enjoined to keep free from complications with foreign nations. This defined the foreign policy of the government and was attacked by the republican press with such unwonted vigor that Hamilton entered the lists for the administration. Jefferson declared that the proclamation wounded popular feelings and national honor. The agitation closed at the recall of Genet, the

French minister, whose conduct was resented by the government; but France, in 1797, appeared a second time as a disturbing element in politics, in her efforts to draw the United States into a war with England. The difficulties which began at that time were not settled till the next administration.

#### ENGLAND.

Congress met December 2, 1793, with a small republican **Third Congress,** } majority in the House. In November, **First Session.** } 1793, the English "order in council" forbade the commerce of foreign nations with the colonies of France. This was unfriendly to the United States, and serious thoughts of war began to be entertained. Congress voted an embargo of thirty days, and attempted legislation which would have rendered a war with England inevitable. To avert this calamity Washington sent Chief-Justice Jay as minister extraordinary to England, in order to effect a treaty of reconciliation between the two countries. The treaty was prepared and presented to the Senate for ratification. It was the signal for a political contest which Washington regarded as the most serious of his administration. The federalists advocated the ratification of the treaty. The republicans branded the federalists as the British party and charged them with sacrificing the sacred dictates of national honor. The contest closed when the treaty was ratified.

During this session the differences between the parties continued to be more and more sharply defined. The federalists succeeded in passing a system of indirect taxation to provide for the increased expenses of the government. At this session also, an amendment was adopted securing states against suit in United States courts. This, after being ratified by the necessary number of states, became the XI amendment to the constitution. Congress adjourned June 9, 1794.

## INTERNAL TAXATION.

Congress met November 3, 1794. Hamilton submitted a  
- **Third Congress,** } plan of internal taxation, which was dis-  
- **Second Session.** } cussed throughout the session. It was  
finally adopted. This was Secretary Hamilton's last official  
act. He resigned his position in January, 1795, and resumed  
the practice of law in New York. Congress adjourned March  
3, 1795.

Congress met December 7, 1795, the federalists having a  
**Fourth Congress,** } small majority in the Senate, and the re-  
**First Session.** } publicans in the House. On March 1,  
1796, the President sent to Congress a copy of his proclama-  
tion, announcing that the treaty with England, having been  
ratified by the Senate and signed by the President, had become  
a law. In the House, this caused dissatisfaction, and a reso-  
lution declaring that provision ought to be made by law for  
carrying the treaty into effect, was debated until the 29th of  
April, when it was passed. An increase of duties upon im-  
ports was urged by the federalists this session, but successfully  
opposed by the republicans. Congress adjourned June 1,  
1796.

## ELECTION OF 1796.

Washington's farewell address, issued in August of this  
year, assured the people that he would now retire from public  
life. There was no other man on whom the whole people  
could unite. The presidential contest which followed excited  
an implacable party spirit, and was the first great struggle for  
ascendency between the parties. The federalists nominated  
John Adams for President, and the republicans Thomas Jef-  
ferson. The result was a victory for each party. Mr. Adams  
was elected President, and Mr. Jefferson receiving the next  
highest number of votes was chosen Vice-President. The elec-  
tion showed that the federalists were losing ground, and that



the republicans were gaining. The former were weakened by feuds among their leaders, and the latter were strengthening their organization and numbers as they advanced from a party of mere opposition to one with a positive policy.

Congress met December 5, 1796, but there was very little **Fourth Congress,** } party contest during its proceedings. The **Second Session.** } session adjourned March 3, 1797, and on March 4, Adams and Jefferson were sworn into office.

During Washington's second term Tennessee was admitted into the Union, June, 1796.

#### RETIREMENT OF WASHINGTON.

The President, while administering the government, had been violently assailed by partisans, but nothing could alienate him from the affections of the people. He retired, leaving to his successor a system of wise and sound policy successfully inaugurated.

#### STRICT CONSTRUCTIONISTS.

The constitution may be changed, either by amendments or by a stricter or broader interpretation of its provisions. National political parties in the United States have always been based upon the fundamental question of a strict or broad construction of this instrument; and all efforts at establishing national parties without reference to this question have resulted in failure. Strict constructionists are those who believe that the constitution should be construed according to the exact and literal language of the instrument, and that an ingenious construction of its provisions, so as to give the constitution a great amount of power, should be opposed. This position is the outcome of the particularist element of American politics. The principle lies in the unwillingness of the people to make changes. When the inertia of the masses had been sufficiently overcome to secure the adoption of the

constitution, it was natural that those who had opposed the instrument should wish to construe its terms so that the change in government would not be great. Close construction has always been the fundamental principle of the democratic republican party.

#### BROAD CONSTRUCTIONISTS.

Broad or loose constructionists are those who interpret the constitution so as to invest the federal government with a great amount of power. Alexander Hamilton was the founder of this school of politics. In his writings, and in the works of John Quincy Adams, Daniel Webster, Joseph Story, and Henry Clay are found all the essentials of broad construction, except those applied to the political influences of slavery. The federal, the national republican, the whig, and the republican party were organized on the principle of broad construction. As loose construction has advanced, strict construction has followed, so that a strict constructionist in our day would have seemed a loose constructionist in the times of Hamilton.

#### DEATH OF THE ANTI-FEDERAL PARTY.

Throughout the first Congress, the anti-federalists made two attempts at party contests. They opposed Hamilton's plan of adjusting the public debt, and his scheme of a national bank. Without concert and success, they opposed the imposition of any higher duties favoring manufacturing establishments. In the second session, party organization assumed a definite form. The operations of the government under the constitution proved so successful, and the new central authority so convenient that the anti-federals were soon anxious to drop their obnoxious name, and give in their adhesion to the new government. They wished their antagonism to the constitution to be forgotten. Though support-

ing this instrument, they opposed the Hamiltonian policy, and constituted, in 1791, a new party, as yet without a name, "which was to maintain the binding force of the exact and literal language of the constitution, and to oppose any enlargement of the federal government's powers by interpretation." This party began to coalesce with the temporary federalists, headed by Jefferson, the combination forming a party to which Jefferson, in 1792, gave the name of "republican." The extreme anti-federalists were not entirely absorbed by this combination till Washington issued his proclamation of neutrality. This soon brought all opponents of federalism to a unity of action, under a new organization, sweeping from existence the remnants of the anti-federal party. (Plate VI.)

#### REPUBLICAN PARTY.

Among the federalists who favored the constitution, there were men such as Madison, Jefferson, Randolph, and Livingston, who aimed at a construction of its terms which should not give the new government extensive power. They wished to interpret the constitution as they believed it was understood at the time of its adoption. They had urged its ratification as an escape from pressing evils. They were only temporary federalists, and when legislation, headed by Hamilton, was seen tending to nationalize the government, they withdrew from the federal party, declaring that it was aiming at monarchy under the guise of broad construction. Jefferson was leader of the movement, and he gave to his party, in 1792, the name "republican," in contrast to the "monarchical" federalists. He at first excluded the anti-federalists from the republican party, regarding them only as allies; but Washington's proclamation of neutrality brought the anti-federalists forward as friends of the French republic, occasioning a blending of the anti-federals and republicans, and the consequent death of the anti-federal party. Jefferson's sympathies

were with the French republic, and the union of these two parties was consummated through the influence of this feeling.

The permanent and reliable basis of the republican party was the doctrine of strict construction, which Jefferson and Madison labored assiduously to establish. This position involved the temporary phases of a "dislike to the control exercised by any government not directly affected by the vote of the citizen on whom the laws operate;" a disposition to regard the national government as savoring too much of royalty; an opposition to the Hamiltonian measures of a protective tariff, a national bank, a national excise, a funding system for the debt; and to all measures tending to benefit the creditor classes.

In 1793 Washington's neutrality proclamation caused the republicans to feel that they were the only anti-monarchical party in the country, and that the federalists were the enemies of liberty and the rights of man and of republican government, either in America or France. This obscured, for a time, the other causes of political difference. The first success of this party in the national legislature was at the organization of the third Congress, when the republicans elected the speaker of the House by a majority of ten votes. This success, and the reverse which soon followed, did much to unite the democrats and republicans in one party. This tendency was assisted by the whisky insurrection, a disturbance in western Pennsylvania, urged on by the democrats, who were co-operating with the republicans. These partisans united in 1793. (Plate VI.)

#### DEMOCRATS.

The aid rendered the United States by France in the Revolutionary war occasioned, among Americans, a strong feeling of sympathy for that country, and when the French were struggling for a republic, many persons in the United

States believed that our country should aid France. Washington's proclamation of neutrality was regarded antagonistic to this feeling and created a popular wave of enthusiasm for the French republic, which proved a sore trial to the administration. The proclamation brought to the surface a class of politicians, more French than American, who presumed that they would obtain power through the great sympathy for France without any reference whatever to other political issues. They would not accept the name republican, but assuming the name of democrat, they modeled their organization after that of the jacobin clubs of Paris, of which some American clubs claimed to be a branch.

The democratic clubs branded every opponent as an enemy of the people, and, with a contempt for constituted authorities, elevated the whims of associations of private citizens to a rank higher than law. They were held in contempt by the federalists, and met with no sympathy from the republicans; but the latter accepted them as allies, making careful distinction among the opposing parties.

The democrats denounced the first excise law, and those in western Pennsylvania and Kentucky were suspected of a design to form a confederacy west of the Alleghanies. Their support of the insurgents who engaged in the whisky insurrection, brought upon them the displeasure of President Washington, who referred to them in a message as "certain self-created societies who, careless of consequences, have disseminated from an ignorance or perversion of facts, supicions, jealousies, and accusations of the whole government." After this proclamation, the republicans ceased to countenance the democratic clubs, which thereafter rapidly disappeared. The clubs were absorbed by the republican party, whose policy thereby was colored with a French cast for several succeeding years. The federals called every republican a democrat, and applied it as a term of contempt, equivalent to the fero-

cious jacobins, who had so lately filled France with "frenzy, terror, and bloodshed." The party in power regarded the minority in opposing the administration, as imitating the lawless jacobins or democrats of that country. (Plate VI.)

#### DEMOCRATIC-REPUBLICAN PARTY.

In 1793, the republican party absorbed the French or democratic faction, and took the official title of democratic-republican party, a name which it still claims. It is a strict construction party, and has always operated as a check upon the nationalization of the United States. It aims at limiting the powers of United States government, conserving the powers reserved in the states, widening the right of suffrage, and increasing "direct popular control over the government." The official title of this party was generally abbreviated to "republican," to which the name "democratic," about 1810, was accepted as an equivalent. Some confusion has been occasioned by the similarity in title between the strict construction republican party formed in 1793, and the broad construction republican party that was organized for a national contest in 1856. The broad construction wing of the democratic-republican party, headed by Adams in 1828, broke off and took the name of "national republican;" the particularist wing headed by Jackson, assumed the name of "democratic," the common designation of the party till the present day. Jefferson was the founder of this party, and assumed the initiative in its management, as did Hamilton that of the federal party, to an extent that would not be tolerated in later periods. "The people" were not an original power in politics in a broad sense till after nominating conventions and other influences had produced among them a strong national feeling. The career of this party forms a part of the history of every administration, from Washington to that of Arthur. (Plate VI.)

## MECHANICAL REPRESENTATION OF THE UNITED STATES.

Plate V gives an idea of the United States and the workings of the government according to the constitution. The explanations of the diagram can be studied with profit.

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George Washington.....	President.....	1789-1797.
John Adams.....	Vice President.....	1789-1797.

## CABINET.

Thomas Jefferson.....	Secretary of State.....	1789-1794.
Edmond Randolph.....	" " .....	1794-1795.
Timothy Pickering.....	" " .....	1795-1797.
Alexander Hamilton.....	Secretary of Treasury.....	1789-1795.
Oliver Wolcott.....	" " " .....	1795-1797.
Henry Knox.....	Secretary of War.....	1789-1794.
Timothy Pickering.....	" " .....	1794-1795.
James McHenry.....	" " .....	1796-1797.
Samuel Osgood .....	Post-Master General.....	1789-1791.
Timothy Pickering.....	" " .....	1791-1794.
Joseph Habersham.....	" " .....	1795-1797.
Edmond Randolph.....	Attorney General .....	1689-1794.
William Bradford.....	" " .....	1794-1795.
Charles Lee.....	" " .....	1795-1797.

## JUDICIAL OFFICERS.

John Jay.....	Chief Justice.....	1789-1795.
John Rutledge.....	" " .....	1795-1796.
William Cushing.....	" " .....	1796-1797.

## LEGISLATIVE OFFICERS.

John Muhlenburgh.....	Speaker of the House.....	1789-1791.
Jonathan Trumbull.....	" " .....	1791-1793.
John Muhlenburgh.....	" " .....	1793-1795.
Jonathan Dayton.....	" " .....	1795-1797.



## CONSTITUTION OF THE UNITED STATES.

### P R E A M B L E.

We, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

### ARTICLE I.

#### SECTION I.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives.

#### SECTION II.

**1st Clause.**—The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

**2d Clause.**—No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of the state in which he shall be chosen.

**3d Clause.**—Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one

for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

*4th Clause.*—When vacancies happen in the representation from any state, the executive authority thereof shall issue writs **Vacancies, how filled.**

*5th Clause.*—The House of Representatives shall choose their speaker and other officers; and shall have the sole power of **Speaker, how appointed.** impeachment.

### SECTION III.

*1st Clause.*—The Senate of the United States shall be composed of two senators from each state, chosen by the legislature **Number of Senators from each State.** thereof, for six years; and each senator shall have one vote.

*2d Clause.*—Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of **Classification of Senators.** the first class shall be vacated at the expiration of the second year, and of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

*3d Clause.*—No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen **Qualification of Senators.** of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

*4th Clause.*—The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be **Presiding officer of the Senate.** equally divided.\*

*5th Clause.*—The Senate shall choose their other officers, and also a president pro tempore, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

*6th Clause.*—The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the **Senate, a court for trial of impeachments.** United States is tried, the chief-justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

**7th Clause.**—Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

## SECTION IV.

**1st Clause.**—The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing senators.

**2d Clause.**—The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

## SECTION V.

**1st Clause.**—Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

**2d Clause.**—Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

**3d Clause.**—Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy, and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered upon the journal.

**4th Clause.**—Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

## SECTION VI.

*1st Clause.*—The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place. **Compensation and privileges of members.**

*2d Clause.*—No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office. **Plurality of offices prohibited.**

## SECTION VII.

*1st Clause.*—All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills. **Bills, how originated.**

*2d Clause.*—Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States. If he approve he shall sign it, but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law. **How bills become laws.**

**3d Clause.**—Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

## SECTION VIII.

**1st Clause.**—The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

**2d Clause.**—To borrow money on the credit of the United States;

**3d Clause.**—To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

**4th Clause.**—To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

**5th Clause.**—To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

**6th Clause.**—To provide for the punishment of counterfeiting the securities and current coin of the United States;

**7th Clause.**—To establish post-offices and post-roads;

**8th Clause.**—To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries;

**9th Clause.**—To constitute tribunals inferior to the Supreme Court;

**10th Clause.**—To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

**11th Clause.**—To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

**12th Clause.**—To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

**13th Clause.**—To provide and maintain a navy;

**14th Clause.**—To make rules for the government and regulation of the land and naval forces;

**15th Clause.**—To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

**16th Clause.**—To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the ap-

pointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress ;

*17th Clause.*—To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and all other needful buildings ; and,

*18th Clause.*—To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECTION IX.

*1st Clause.*—The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person. **Immigrants, how admitted.**

*2d Clause.*—The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it. **Habeas Corpus.**

*3d Clause.*—No bill of attainder or *ex post facto* law shall be passed. **Attainder.**

*4th Clause.*—No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken. **Taxes.**

*5th Clause.*—No tax or duty shall be laid on articles exported from any state.

*6th Clause.*—No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another ; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another. **Regulations regarding duties.**

*7th Clause.*—No money shall be drawn from the treasury, but in consequence of appropriations made by law ; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time. **Money, how drawn.**

**8th Clause.**—No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

## SECTION X.

**1st Clause.**—No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payments of debt; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

**2d Clause.**—No state shall, without the consent of the Congress, lay any impost or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

**3d Clause.**—No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships-of-war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II.

## SECTION I.

**1st Clause.**—The executive power shall be vested in a President of the United States of America. He shall hold his office **Executive power,** during the term of four years, and, together with the **in whom vested.** Vice-President, chosen for the same term, be elected as follows:

**2d Clause.**—Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the **Presidential** whole number of senators and representatives to which **electors.** the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

**3d Clause.**—The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; **Time of choosing** which day shall be the same throughout the United **electors.** States.

*4th Clause.*—No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years resident within the United States.

**Qualifications of the President.**

*5th Clause.*—In the case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

**Resort in case of his disability.**

*6th Clause.*—The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

**Salary of the President.**

*7th Clause.*—Before he enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

**Oath of office.**

## SECTION II.

*1st Clause.*—The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

**Duties of the President.**

*2d Clause.*—He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are

**His power to make treaties, appoint ambassadors, judges, etc.**



not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

*3d Clause.*—The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

**May fill vacancies.**

#### SECTION III.

He shall, from time to time, give to Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

**Power to convene Congress.**

#### SECTION IV.

The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

**How officers may be removed.**

### ARTICLE III.

#### SECTION I.

The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

**Judicial power, how vested.**

#### SECTION II.

*1st Clause.*—The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, the treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the

**To what cases it extends.**

United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

*2d Clause.*—In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

**Jurisdiction of  
the Supreme  
Court.**

*3d Clause.*—The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

**Rules respecting  
trials.**

#### SECTION III.

*1st Clause.*—Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.

**Treason defined.**

*2d Clause.*—No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

*3d Clause.*—The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

**How punished.**

#### ARTICLE IV.

##### SECTION I.

Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

**Rights of States  
to public faith  
defined.**

##### SECTION II.

*1st Clause.*—The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

**Privileges of cit-  
izens.**

- 2d Clause.**—A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.
- Executive requisition.**
- 3d Clause.**—No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.
- Law regulating service or labor.**

## SECTION III.

- 1st Clause.**—New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.
- New states, how formed and admitted.**
- 2d Clause.**—The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.
- Power of Congress over public lands.**

## SECTION IV.

- The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion, and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.
- Republican government guaranteed.**

## ARTICLE V.

- The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress, provided that no amendment
- Constitution, how to be amended.**

which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

#### ARTICLE VI.

*1st Clause.*—All debts contracted and engagements entered into, before the adoption of this constitution, **Validity of debts** shall be as valid against the United States under this **recognized.** constitution as under the confederation.

*2d Clause.*—This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of **Supreme law of** the United States, shall be the supreme law of the **the land defined.** land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

*3d Clause.*—The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States **Oath, of whom re-** and of the several states, shall be bound by oath or **required, and** affirmation to support this constitution; but no religious test shall ever be required as a qualification to **for what.** any office or public trust under the United States.

#### ARTICLE VII.

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the **Ratification.** states so ratifying the same.

Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names. [Signed by the members of the convention.]

#### AMENDMENTS.

At the first session of the First Congress, held in the city of New York, and begun on Wednesday, the 4th of March, 1789, many amendments to the national constitution were offered for consideration. The Congress proposed ten of them to the legislatures of the several states. These were ratified by the constitutional number of state legislatures by the middle

of December, 1791. Five other amendments have since been proposed and duly ratified, and have become with the other ten a part of the national constitution. The following are the amendments :

#### ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ; or abridging the **Freedom in religion and speech,** freedom of speech, or of the press ; or the right of the people peaceably to assemble, and to petition the government for redress of grievances.

#### ARTICLE II.

A well-regulated militia being necessary to the security of a free state, **Militia.** the right of the people to keep and bear arms shall not be infringed.

#### ARTICLE III.

No soldier shall, in time of peace, be quartered in any house, without **Soldiers.** the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

#### ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, **Search warrants.** shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a **Capital crimes.** grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war and public danger ; nor shall any person be subject, for the same offense, to be twice put in jeopardy of life or limb ; nor shall be compelled in any criminal case to be a witness against himself, nor to be deprived of life, liberty, or property, without due process of law ; nor shall private property be taken for public use, without just compensation.

## ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. **Trial by jury.**

## ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of common law. **Suits at common law.**

## ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. **Bail.**

## ARTICLE IX.

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people. **Certain rights defined.**

## ARTICLE X.

The powers not delegated to the United States by the constitution, nor prohibited by it to the states are reserved to the states respectively, or to the people. **Rights reserved.**

## ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state. **Judicial power limited.**

## ARTICLE XII.

The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then, from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

## ARTICLE XIII.

## SECTION I.

Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any **Slavery prohibited.** place subject to their jurisdiction.

SECTION II.

Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION I.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall **Citizens and their** make or enforce any law which shall abridge the **rights.** privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION II.

Representatives shall be appointed among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote, at any election for the choice of electors for President and Vice-President of the United States, representatives in **Adjustment of** Congress, the executive or judicial officers of a state, **representation** or the members of the legislature thereof, is denied to **to the elective** any of the male inhabitants of such state, being twenty- **franchise.** one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

SECTION III.

No person shall be a senator or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as a member of Congress, or **Disabling con-** as an officer of the United States, or as a member of **ditions.** any state legislature, or as an executive or judicial officer of any state, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

SECTION IV.

The validity of the public debt of the United States, authorized by law,





including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume to pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

## SECTION V.

Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

## ARTICLE XV.

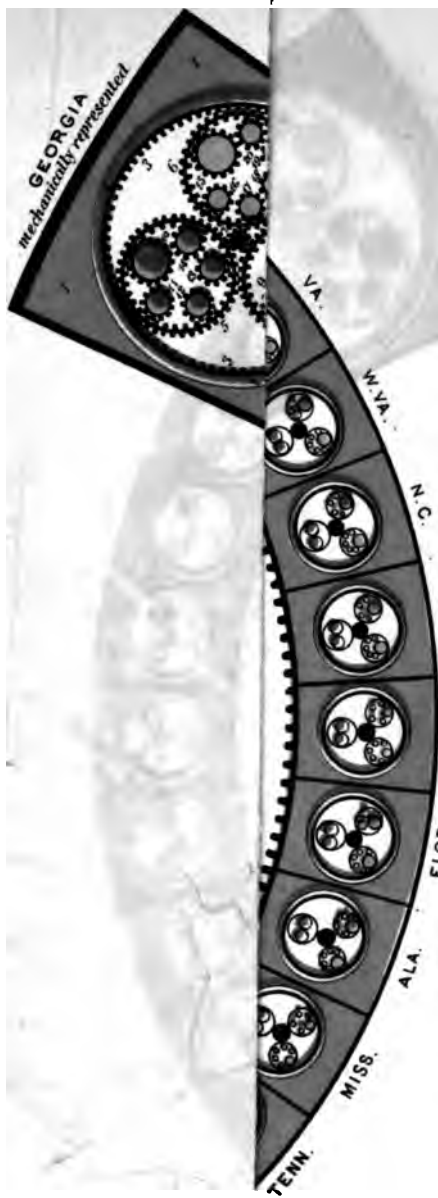
## SECTION I.

The right of the citizens of the United States shall not be denied or abridged by the United States, or by any state, on account of race, color, or previous condition of servitude.

## SECTION II.

The Congress shall have power to enforce this article by appropriate legislation.





## EXPLANATION OF PLATE V.

## WHAT CONSTITUTES A STATE.

A state is a community of persons living within certain limits of territory, under a permanent organization, which aims to secure the prevalence of justice by self-imposed laws. Those persons who directly exercise control over the members of a state constitute the government thereof. Every state is divided into two classes—the voting and the non-voting—for the former there is political liberty and immediate connection with the government; for the latter, the government is absolute. The departments of government are three: the legislative, which makes the laws; the judicial, which interprets and applies them; and the executive, which puts them into operation.

## HOW A STATE IS MECHANICALLY REPRESENTED.

A state is mechanically represented by the use of certain symbols. Since a collection of cogs on a cog-wheel operate, with absolute power, a number of cogs is taken to represent a number of laws. Since an officer of government operates within a certain sphere, a ring is taken to represent one or more officers. For a like reason a round surface represents a department of government or an official duty.

## MECHANICAL REPRESENTATION OF GEORGIA.

On the portion of the plate for Georgia the symbols, indicated by figures, represent the following:

1. The non-voting class;
2. The voting class;
3. The laws by which the people operate with the government;
4. The laws controlling the legislative department;
5. The laws controlling the judicial department;
6. The laws controlling the executive department;
7. The constitution of the state;
8. The senators;
9. The representatives;
10. The judges of the supreme court;
11. The judges of the circuit courts;
12. The judges of the courts of ordinary;

13. The judges of the county courts;
14. The judges of the justices' courts;
15. The governor;
16. The secretary of state;
17. The treasurer;
18. The auditor;
19. The attorney general;
20. The superintendent of public instruction.

The constitution is the fundamental law of the state—a formal expression of the will of a state, granting authority to the government. All laws must accord with the constitution; all departments must operate in accordance with it. If these symbols be regarded the wheels of government, and the whole combination the machinery of the state of Georgia; and if the operations of the machine represent the operations of the government, it will be seen that when the constitution of Georgia goes into operation (turns), the departments of the state government will be moved by it and in accordance with it. The senators and representatives will be operating according to the laws of the legislative department of the state; the judges according to the laws of the judicial department; and the executive officers according to the laws of the executive department. The three branches of government will be seen to operate with the voting class. The machinery shows how the laws of the state must operate according to the constitution; how one department of government checks the other departments; how all the departments check or control the voting class; and how the voting class can restrain the departments or the entire government. The non-voting class are responsible for the government only on the ground of tacit consent. They have no voice in public affairs; but they form a part of the community and owe allegiance to the government. These conditions are represented by that portion of the machine surrounding the symbol for the voting class.

#### UNION OF THE STATES.

As Georgia is represented on the plate so is every other state of the Union. These representations are located so as to form a circle around a certain point. This circle represents the union of states, grouped according to their geographical positions. The cogs touching the states indicate the laws by which the states operate in accordance with the national government.

#### THE NATIONAL GOVERNMENT.

The symbols for the national government are as follows:

- A. The laws controlling the legislative department;
- B. The laws controlling the judicial department;

C. The laws controlling the executive department;

D. The constitution of the United States.

The constitution is the central authority of the nation, the fundamental law of the land. All departments must operate according to its provisions. Any law which violates it is void.

#### LEGISLATIVE DEPARTMENT.

The legislative department consists of the Senate and House of Representatives. The upper ring of this department indicates the senators. They are controlled by laws represented by cogs surrounding the ring. The cogs within the ring show the laws by which the senators perform their duties. The duties or powers of the Senate are seven, represented by seven wheels, as follows:

1. Power of general legislation, cöordinate with the same work in the House;
2. Power of proposing or concurring with amendments to bills for raising revenue;
3. Power of ratifying treaties;
4. Power of confirming certain officers;
5. Power of choosing their officers except their president;
6. Power of electing a Vice-President when electors fail to make a choice;
7. Power of trying impeachments.

The cogs surrounding these wheels show the laws by which the senators perform their duties. The representatives are also indicated by a ring bounded by laws, as those described for the senators. The powers of the representatives are five, which are shown by five wheels, as follows;

1. Power of general legislation cöordinate with the same work in the Senate;
2. Power of choosing their officers;
3. Power of originating impeachments;
4. Power of originating bills for raising revenue;
5. Power of electing a President when one is not chosen by the electors.

Outside of the Senate and House, but controlled by them, are two wheels representing the library of Congress and the government printing-office. The library (E) contains three hundred and sixty-five thousand volumes and one hundred and twenty thousand pamphlets. The copyright department is controlled by the library. The government printing-office (F) is the largest printing and binding establishment in the world. It employs one thousand five hundred persons at printing, binding, lithographing, mapping, and engraving, at an annual cost of about one million eight hundred thousand dollars.

## JUDICIAL DEPARTMENT.

The judicial department consists of the United States supreme court, the United States circuit courts, the United States district courts, the court of claims, and the supreme court of the District of Columbia.

## SUPREME COURT.

The justices of the supreme court are represented by a ring bounded by laws indicating how these officers are controlled, and how they perform their duties. The duties of judges consist in determining cases belonging to the jurisdiction of their court. Suits tried by a court are classified; each classification represents a duty. The branches of jurisdiction of the supreme court are as follows:

1. Determining cases affecting ambassadors;
2. Determining cases affecting other public ministers;
3. Determining controversies between two or more states;
4. Between a state and citizens of another state;
5. Between a state or citizens thereof, and foreign states, citizens, or subjects;
6. Cases of admiralty and maritime jurisdiction;
7. Controversies in which the United States shall be a party;
8. Between citizens of different states;
9. Between citizens of the same state claiming land under grants of different states;
10. Appeals from the circuit and district courts. Its jurisdiction of the first five classes is original, of the remainder appellate. The jurisdiction of this court extends to all cases of law and equity arising (1) under the constitution of the United States; (2) under the laws of the United States; and (3) under treaties made under their authority.

The supreme court is the highest judicial authority in the United States, and consists of the chief justice and eight associate justices. It must hold one regular term a year, commencing on the second Monday in October, and such special terms as may be necessary.

## UNITED STATES CIRCUIT COURTS.

These courts have jurisdiction over suits under twenty heads, represented by twenty wheels, as follows:

1. Of all suits of a civil nature where the matter in dispute exceeds the sum of \$500, and an alien is a party, or between citizens of different states.
2. Of all suits in equity of \$500, and the United States are petitioners.

3. Of all suits at common law by United States officers.
4. Suits under import, internal revenue, and postal laws.
5. Suits for the enforcement of penalties as to laws regulating the carriage of passengers in merchant vessels.
6. Suits arising under laws relating to the slave trade.
7. Suits and proceedings for condemnation of property used for insurrectionary purposes.
8. Suits on debenture, customs, duties.
9. Suits under the patent or copyright laws.
10. Suits by or against national banks.
11. Suits to enjoin the comptroller of the currency.
12. Suits for injuries on account of acts done under laws of the United States for protection or collection of the revenues, or to enforce the rights of citizens of the United States to vote in the several states.
13. Suits to recover offices where the question arises out of the right to vote on account of race, color, or previous condition of servitude.
14. Suits for removal of officers holding contrary to the fourteenth amendment.
15. Suits for penalties under laws to enforce the elective franchise.
16. Suits to redress deprivation of rights secured by the constitution and laws.
17. Suits on account of injuries by conspirators in certain cases.
18. Suits against any person having knowledge of a conspiracy and neglects or refuses to prevent the same.
19. Suits against officers and owners of vessels.
20. Of all crimes and offenses cognizable under authority of the United States, except where otherwise provided by law, and concurrent jurisdiction with the district courts of crimes and offenses cognizable therein.

The chief justice and associate justices of the supreme court are allotted among the circuits by an order of the court. For each circuit a circuit judge is appointed. Circuit courts are held by the circuit justice or by the circuit judge, or by the district judge, sitting alone, or by any two of these judges sitting together. The judges are represented by a ring.

Next in importance to the circuit courts are the

#### DISTRICT COURTS,

which have jurisdiction over suits under eighteen heads, as follows:

1. Of all crimes and offenses cognizable under the authority of the United States, committed within their respective districts, or upon the high seas, the punishment of which is not capital.



2. Of all cases arising under any act for the punishment of piracy, when no circuit court is held in the district.
3. Of all suits for penalties and forfeitures incurred under any law of the United States.
4. Of all suits brought at common law by the United States.
5. Of all suits in equity to enforce the lien of the United States upon any real estate for any internal revenue tax.
6. Of all suits for the recovery of any forfeiture or damages for frauds against the United States.
7. Of all causes of action arising under the postal laws.
8. Of all causes of admiralty and maritime jurisdiction; and of all seizures on land and on waters not within admiralty jurisdiction, and of all prizes.
9. Of all proceedings for the condemnation of property taken as prize, except property used for insurrectionary purposes.
10. Of all suits by the assignee of any debenture for drawback of duties.
11. Of all suits on account of injuries by conspirators in certain cases.
12. Of all suits to redress deprivation of rights secured by the constitution and laws.
13. Of all suits to recover offices, except of electors of President and Vice-President, representatives, or delegate in Congress, or member of a state legislature.
14. Of all suits for the removal from office of any person, except a member of Congress, or of a state legislature, contrary to the fourteenth amendment of the constitution.
15. Of all suits by or against national banks.
16. Of all suits brought by any alien for a tort only in violation of the rights of nations, or of a treaty of the United States.
17. Of all suits against consuls.
18. Of all matters and proceedings in bankruptcy.

The United States are divided into fifty-nine districts, over each of which a district judge is appointed, with but few exceptions. Third in importance to the supreme court, is the

#### COURT OF CLAIMS,

which has jurisdiction as follows :

1. Of all claims founded upon any law of Congress;
2. Or upon any regulation of an executive department;
3. Or upon any contract, expressed or implied, with the government of the United States;
4. And of all claims which may be referred to it by either house of Congress.

Prior to 1855, those having claims against the government, which the departments declined to pay, had no remedy, except by petition to Congress. Accordingly the court of claims was established, consisting of a chief justice and four judges.

#### THE SUPREME COURT OF DISTRICT OF COLUMBIA

possesses the same powers and exercises the same jurisdiction as the circuit courts of the United States, besides jurisdiction of cases classified under six other heads, all represented by wheels indicating:

1. Courts for trial of crimes and offenses arising within the district.
2. Suits in equity and law arising under the copyright and patent laws.
3. Proceedings in all common law and chancery cases.
4. Suits for trial of divorces.
5. Suits for trial of bankruptcy.
6. Cases of appeal.
7. Same jurisdiction as the circuit courts.

#### THE EXECUTIVE DEPARTMENT

consists of the President, represented by a large ring. The cogs bounding it indicate the laws by which the President is controlled, and by which he controls his under-officials. Within this ring are seven prominent rings, each indicating a cabinet officer, and the seven representing the cabinet. The cogs surrounding a ring indicate the laws by which the President controls the officer.

#### STATE DEPARTMENT.

The ring near the top represents the secretary of state, who directs the business of the state department. The business of this department comprises the duties of twelve divisions, consisting of four bureaus and eight other divisions, represented by the wheels within the ring, which have cogs around them, indicating the laws by which the secretary manages the divisions. A "bureau" is a term applied to the transaction of business, in subordination to a superior branch of the government. Bureaus perform as important services as the departments under which they act. The following are the divisions:

- |                          |                              |
|--------------------------|------------------------------|
| 1. Diplomatic bureau.    | 7. Statistics.               |
| 2. Consular bureau.      | 8. Law bureau.               |
| 3. Bureau of archives.   | 9. Translations.             |
| 4. Bureau of accounts.   | 10. Passport clerk.          |
| 5. Statistical division. | 11. Pardons and commissions. |
| 6. Librarian.            | 12. Chief clerk.             |

These branches are all conducted by efficient heads. The immediate work of the secretary is that of attending to business connected with for-

eign affairs; of the use and keeping of the seal of the United States; of preserving the original of bills, resolutions, and orders of Congress; of preserving the statutes of the several states; of promulgating laws; and of laying before Congress information relating to foreign affairs.

#### TREASURY DEPARTMENT.

The secretary of the treasury has charge of the treasury department. This department is divided into twenty-six offices and bureaus, indicated by twenty-six wheels. The names of the divisions are:

- |  |   |
|--|---|
| 1. Chief clerk's office.                                     | 12. Supervising surgeon-general of marine hospital. |
| 2. Office of the custodian of the building.                  | 13. First comptroller.                              |
| 3. Special agents' division.                                 | 14. Second comptroller.                             |
| 4. The secret service.                                       | 15. Commissioner of customs.                        |
| 5. Division of captured and abandoned property.              | 16. First auditor.                                  |
| 6. Bureau of engraving and printing.                         | 17. Second auditor.                                 |
| 7. Bureau of the mint.                                       | 18. Third auditor.                                  |
| 8. Office of the supervising architect.                      | 19. Fourth auditor.                                 |
| 9. Supervising inspector general of steam vessels.           | 20. Fifth auditor.                                  |
| 10. Office of the superintendent of the life-saving service. | 21. Sixth auditor.                                  |
| 11. Office of the light-house board.                         | 22. Treasurer.                                      |
|  | 23. Register.                                       |
|  | 24. Comptroller of the currency.                    |
|  | 25. Commissioner of internal revenue.               |
|  | 26. Coast survey.                                   |

Next in importance is the

#### WAR DEPARTMENT,

managed by the secretary of war. The duties of this department are classified under fourteen heads:

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| 1. Rebel archive branch.           | 8. Commissary-general.              |
| 2. Rebellion records.              | 9. Paymaster-general.               |
| 3. Adjutant-general's office.      | 10. Surgeon-general.                |
| 4. Office of inspector-general.    | 11. Chief of ordnance.              |
| 5. Bureau of military justice.     | 12. Chief of engineers of the army. |
| 6. Signal service.                 | 13. The U. S. army.                 |
| 7. Quartermaster-general's office. | 14. Military academy.               |

#### NAVY DEPARTMENT.

The secretary of the navy has charge of the navy department. Its work is embraced under fourteen divisions:

1. Bureau of yards and docks.

2. Bureau of equipment and recruiting.
3. Bureau of navigation.
4. Bureau of ordnance.
5. Bureau of construction and repairs.
6. Bureau of steam engineering.
7. Bureau of provisions and clothing.
8. Bureau of medicine and surgery.
9. U. S. naval asylum at Philadelphia.
10. U. S. naval hospitals.
11. Naval academy at Annapolis.
12. U. S. navy.
13. U. S. marine corps.
14. Navy-yards and shore stations.

#### INTERIOR DEPARTMENT.

The secretary of the interior is head of the interior department, the business of which can be inferred from the following nine divisions:

- |                          |                                  |
|--------------------------|----------------------------------|
| 1. General land office.  | 6. Bureau of education.          |
| 2. U. S. pension office. | 7. Auditor of railroad accounts. |
| 3. Indian office.        | 8. Architect of the capital.     |
| 4. Patent office.        | 9. Geological survey.            |
| 5. Census office.        |                                  |

This department controls the entomological commission, officers of D. C., under the interior department, government hospital for the insane, Columbia institution for the instruction of the deaf and dumb, freedmen's hospital and asylum, and Columbia hospital for women, and lying-in asylum.

The Smithsonian institution and the agricultural department are generally classified under the interior department, although they do not belong to it.

#### POST-OFFICE DEPARTMENT.

The work of the post-office department, headed by the post-master general, is distributed among seven officers, besides the work performed in the office of the secretary, and constitutes what is done (1) in the office of the first assistant post-master-general; (2) in the office of second assistant post-master-general; (3) in the office of third assistant post-master-general; (4) in the office of superintendent of the money-order system; (5) in the office of superintendent of the foreign mail; (6) in the office of superintendent of the railway mail service; (7) in the office of the assistant attorney-general for the post-office department.

#### DEPARTMENT OF JUSTICE.

The attorney general is head of the department of justice. His business may be arranged under four heads: (1) that performed by the solicitor-

general; (2) by the solicitor of the internal revenue service; (3) by the solicitor of the treasury; and (4) by the examiner of claims.

#### DUTIES OF THE PRESIDENT.

Touching the ring for the President are fourteen small wheels, indicating fourteen duties of the President, as follows:

1. The duty of acting as commander-in-chief of the army and navy.
2. Making treaties, with the consent of two-thirds of the Senate.
3. Sending nominations to the Senate.
4. Granting reprieves and pardons.
5. Receiving ambassadors and other public ministers.
6. Giving, by message to Congress, information of the state of the Union, and recommending such measures as he deems necessary.
7. Vetoing bills passed by Congress.
8. Approving bills passed by Congress.
9. Making temporary appointments.
10. Convening both houses of Congress, or either of them.
11. Adjourning Congress in case of disagreement on adjournment.
12. Calling for the militia to suppress insurrection.
13. Issuing letters of marque and reprisal, and making all needful rules and regulations for the government and conduct of such vessels.
14. Duties without statute directions.

#### HOW THE MACHINE OPERATES.

The plate is supposed to be a picture of an actual machine at work. The gearing by which the machine runs is not all shown. Behind each state is supposed to be boxing, containing bearings that enable the wheels of state departments to operate when the ring composed of states moves. This is done by a weight hanging from that to which the state constitution is attached. The machinery supporting and impelling the portions representing the general government is stationary, and is moved by any ordinary motor as clock-work. The constitution of the United States is the moving power of the nation. If clock-work operates upon the wheel which represents the constitution (central wheel of the plate), it will operate upon the three departments; these will operate upon the states; and the state governments, through the weight just described, will begin to operate in harmony with the national government. The machinery will then be in full operation. This weight can very appropriately be termed the clause in the constitution that requires all laws of the state to accord with the national constitution. The instant the national constitution operates, the state constitutions operate; the instant the former stops, the

latter stops, thus showing the harmonious action between federal and state governments. The entire workings of the machine illustrate the entire workings of government in the United States; the relation of the people to government, of government to the people; the restraining power of one department over another and over the people; the restraining power of the people over government; the impelling power of laws; the positions and duties of officers; and the classification of duties and departments.

## WASHINGTON'S FAREWELL ADDRESS

TO THE

PEOPLE OF THE UNITED STATES.

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PLATFORM FOR THE PEOPLE, REGARDLESS OF PARTY.

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*Friends and Fellow-Citizens :*

The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made. I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence, in my situation, might imply, I am influenced by no diminution of zeal for your future interests; no deficiency of grateful respect of your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say, that I have with good intentions contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes—perhaps still more in the eyes of others—has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me, more and more, that the abode of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead; amidst appearances sometimes dubious, vicissitudes of fortune often discouraging; in situations in which, not unfrequently, want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated by this new idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows, that Heaven may continue to you the choicest tokens of its beneficence; that union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration, in every department, may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing as



will acquire to them the glory of recommending it to the applause, the affection, and the adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop; but a solicitude for your welfare, which can not end but with my life, and the apprehension of danger natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be afforded to you with the more freedom, as you can only see in them the disinterested warning of a parting friend, who can possibly have no personal motive to bias his counsel; nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence—the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed—it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourself to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of *American*, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than appellations derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed

together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes. But these considerations, however powerfully they address themselves to your sensibility, are generally outweighed by those which apply more immediately to your interest; here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds, in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The South, in the same intercourse benefiting by the agency of the North, sees its agriculture grow, and its commerce expanded. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in like intercourse with the West, already finds, and in the progressive improvement of interior communication, by land and by water, will more and more find, a valuable vent for the commodities which each brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth or comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions, to the weight, influence, and the maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interests as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find, in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries, not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments and intrigues, would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty;

in this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt, whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation, in such a case, were criminal. We are authorized to hope, that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as a matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern—Atlantic and Western—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by paternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen in the negotiation by the executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, decisive proof how unfounded were the suspicions propagated among them, of a policy in the general government, and in the Atlantic states, unfriendly to their interest in regard to the Mississippi—that with Great Britain, and that with Spain, which secure to them everything they could desire in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union a government of the whole is indispensable. No alliance, however strict between the parties, can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all time, have experi-

enced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government, better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed—adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers—uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political system is the right of the people to make and to alter their Constitution of government; but the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstruction to the execution of laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive to this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of fashion, rather than the organ of consistent and wholesome plans, digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of the government, destroying afterwards the very engines which had lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what can not be directly overthrown. In

all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find, in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprise of faction, to confine each member of the society within the limits described by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you, in the most solemn manner, against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissensions, which, in different ages and countries, has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads, at length, to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which, nevertheless, ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foment, occasionally, riot and insurrection. It opens the door to foreign

influence and corruption, which find a facilitated access to the government itself, through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties, in free countries, are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This, within certain limits, is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking, in a free country, should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding, in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position.

The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal, against invasions by the others, has been evinced by experiments, ancient and modern; some of them in our own country, and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular, wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance, in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to

respect and cherish them. A volume could not trace all their connexions with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles. It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who, that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding, likewise, the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned; not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that toward the payments of debts there must be revenues; that to have revenue there must be taxes; that no taxes can be devised, which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive moment for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measure for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course

of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachment for others, should be excluded; and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is, in some degree, a slave. It is a slave to its animosity or to its affection; either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and untractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts, through passion, what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise a passionate attachment of one nation to another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray, or sacrifice the interest of their own country, without odium; sometimes even with popularity; gilding with the appearance of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments



are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the art of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens), the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil, and even second, the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. There let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interests, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do

it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural cause of things; diffusing and diversifying, by gentle means, the streams of commerce, by forcing nothing; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinions will permit, but temporary, and liable to be, from time to time, abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view; that it is folly in one nation to look for disinterested favors from another that it must pay, with a portion of its independence, for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon, real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations; but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigues, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records, and other evidences of my conduct, must witness to you and the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 23d of April, 1793, is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a national position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding neutral conduct may be inferred, without anything more, from the obligation which justice and humanity imposes on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and unity towards other nations.

The inducements of interests, for observing that conduct, will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error; I am, nevertheless, too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never come to view them with indulgence; and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this, as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate, with pleasing expectation, that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of fellow-citizens, the benign influence of good laws under a free government, the ever favorite object of my heart, and happy reward, as I trust, of our mutual cares, labors and dangers.

GEORGE WASHINGTON.

United States, 17th of September, 1796.

## CHAPTER VI.

## JOHN ADAMS' ADMINISTRATION.

1797—1801.

## PRESIDENT'S POSITION.

John Adams was inaugurated President in Congress Hall, Philadelphia, March 4, 1797. There was a vague feeling in the minds of all, that storms and difficulties would soon beset the ship of state, now that the one man whom all trusted and honored had left the helm. Hamilton, the recognized leader of the federal party, did not entertain the highest regard for Mr. Adams, and expressed decided fears as to the future, while Adams himself "was fully conscious that his lot had fallen on evil days." In his inaugural address he denied the charge of sympathy for England "which had been hurled against the administration." This somewhat softened the ardor of republican opposition; but though greatly gratified with this, he still continued his attachment for those who had elevated him to the position of Chief Magistrate, and the cabinet of his predecessor was retained.

## FRANCE.

At the opening of the new administration our relations  
Fifth Congress, } with France were in a critical condition.  
Extra Session. } In his inaugural, the President had barely  
touched upon them, merely expressing his high regard for  
the French people, and wishing that the friendship of the  
two nations might continue. But affairs grew more and  
more complicated. C. C. Pinkney, the American minister  
at France, was ordered to quit the territory, and a decree

was issued authorizing the capture of neutral vessels having on board any productions of Great Britain or her possessions, while a number of American vessels had been actually seized. The French Directory were particularly incensed at Jay's treaty, and expressed in studied terms a contempt for the American government. This alarming situation of affairs induced the President to call an extra session of Congress, which assembled on the 15th of May, 1797. In his message to this Congress, he treated the question exclusively. He laid before them a statement of the aggressions of France, and in strong but temperate language recommended the adoption of "effectual measures of defense." It is necessary, he argues, "to convince France and the world that we are not a degraded people, humiliated under a colonial spirit of fear and sense of inferiority, fitted to be miserable instruments of foreign influence, and regardless of national honor, character, and interest." He indicated his intention, at the same time, however, of making another effort at negotiation. Advances for reconciliation met the concurrence of the Senate, in which body there was an administration majority. Pinkney, Marshall and Gerry were chosen to negotiate for a friendly settlement of the pending difficulties and the resumption of diplomatic relations with France.

#### "STAMP ACT."

During the extra session an act was passed "laying duties on stamped vellum, parchment and paper." This law resembled the stamp act of 1765, and was obnoxious to a large number of people.

#### WAR WITH FRANCE THREATENED.

Congress adjourned July 10, and the envoys soon after departed for France. Their efforts at negotiation were entirely fruitless. If they were not treated with open discour-

tesy, they were at least denied a treatment worthy the ambassadors of a free people. A bribe was demanded of them to the French Directory, and a loan to the French Republic, as preliminaries to any negotiation. At last they received peremptory orders to quit France. Their mission became known as the X. Y. Z. Mission, from the initials used by the agents who demanded the bribes. The publication of this correspondence greatly disconcerted Talleyrand, the foreign minister of the French Directory, and as greatly strengthened the federal influence at home. During all this time the French continued their attacks on American commerce.

#### PREPARATION FOR WAR.

Congress met November 13, 1797. There was at first an **Fifth Congress, } indisposition on the part of the republicans**  
**First Session. } to resent the insults offered by France, so**  
that early in 1798 the House voted down a proposition to arm American vessels. The war spirit began to prevail, however, and several acts were passed with a view to getting ready for war. A standing army (May, 1798), a naval armament, and the capture of French vessels, were authorized. Washington was made lieutenant-general of the army. The treaties with France were declared no longer binding upon the United States, and the President was given authority to issue letters of marque and reprisal. Although neither country declared war, hostilities were begun upon the ocean. France, seeing the hostile attitude of the United States, made overtures for the adjustment of difficulties. These were accepted, and resulted in a treaty of peace (1800). The passage of those measures relating to the provision of a standing army and naval armament, though sustained for a time by the high current of war feeling, nevertheless were not pleasing to the republicans. They maintained that previous to actual hostilities, the militia and a small naval force were

sufficient for internal defense and the protection of our coasts and harbors. They looked upon the measure, therefore, as calculated to overawe public sentiment in time of peace.

#### ALIEN AND SEDITION LAWS.

The federalists were fairly intoxicated with power. The bitter feeling for the time engendered against France swept the whole country, and annihilating opposition gave them unrestrained power. It was not considered sufficient to get merely ready for a foreign enemy; it was necessary to overawe the enemy at home. Impelled by their passion for a strong government they forced through two measures which operated badly against them upon the popular feeling, and really constituted the "death warrant" of the federal party. These were the alien and sedition laws passed in the summer of 1798. The former authorized the President to "order any alien whom he should judge to be dangerous to the peace and liberties of America to depart from the United States," and made provisions for the fining and imprisonment of such aliens as should refuse to obey the President's order. The latter imposed a heavy fine and imprisonment upon such as should combine or conspire together to oppose any measure of government, and such as should utter any false, scandalous or malicious writing against the government, Congress or President of the United States. This act was not repealed until March, 1801. It is apparent at once that such a stretch of power as this is incompatible with free republican government. The opposition party very naturally contended that these laws put too much power into the hands of the executive, and also that they were unconstitutional, as the first amendment of the constitution expressly guaranteed the freedom of speech and of the press. After the war feeling subsided, popular opinion inclined to the republican view. Congress adjourned July 16, 1798.

## THE NATURALIZATION LAW.

A law was passed, providing, among other requirements, that an alien must reside in the United States fourteen years in order to become a citizen thereof. This law was repugnant to the republicans, since it retarded immigration, allowed in the country too many persons owing no allegiance to the government, and assailed the idea that the rights of America are the rights of human nature.

## THE KENTUCKY AND VIRGINIA RESOLUTIONS.

The high-handed measures of the federal party, especially the alien and sedition laws, gave birth to the doctrine of nullification. Jefferson and his adherents thought that this was an auspicious time for formulating and officially declaring the "principles" with regard to the rights of states and the prerogatives of federal power. Seeing no hope of present success in Congress the republican leaders determined to enter their protests against federal measures through state legislatures. To this end a set of resolutions, drawn up by Jefferson, was adopted by the Kentucky legislature in 1798, and in the same year the Virginia legislature adopted a similar series drawn up by Madison. The Virginia resolutions did not go as far as the former, from the fact that Madison doubted somewhat the constitutionality of the contemplated procedure, and, on that account, couched his meaning in more general terms. They, in substance, declared that the constitution was a compact by which the states had surrendered only a limited portion of their powers; that *the states*, as such, had rights, in behalf of which it was their duty to interpose whenever the federal government transcended its delegated authority and trampled upon them; that the alien and sedition laws were examples of such usurpation by the federal government of



powers not granted to it, since the abridgement of liberty of speech or of the press had been expressly forbidden by the constitution. The Kentucky resolutions were of the same general tenor, with the additional declaration that "*the states* were one party to the compact, and the federal government was the other, and that each party must be the judge of infractions of agreement and of the mode and measure of redress." Other states were urged to adopt similar resolutions, but they paid little attention to the matter. The next year (1799), Kentucky went further and resolved that a state might rightfully nullify and declare void any act of Congress which it might consider unconstitutional. Jefferson afterwards disowned these resolutions, though they were used by the south as a precedent for nullification in 1832, and for secession in 1860. Virginia went so far in her preparations to resist the encroachments of the federal government as to erect an armory at Richmond.

Congress met December 30, 1798. The federalists were in Fifth Congress, } the majority. War with France, though  
Second Session. } not formally declared, continued to threaten the government, and the conflicts between American and French vessels on the ocean continued to aggravate ill-feeling matters. Both parties agreed to vote an increase of the navy, but the republicans opposed an increase of the army, because they looked upon the warlike measures of the federalists as emanating from a desire of party aggrandizement. The President, without consulting his cabinet, and contrary to his expressed determination to send no more ministers to France until assured of a friendly recognition, appointed three envoys to that country.

#### RUPTURE OF THE CABINET.

This arbitrary proceeding on the part of the President inflicted a slight upon his cabinet, for he was aware that at

least three of them were opposed to the renewal of negotiations with France under existing circumstances. Two of the cabinet protested against this action of the President, and the leading federalists throughout the country sustained them. It was apparent that the President was losing to some extent the support of his own party. In May, 1800, a change was made in cabinet officers. Congress adjourned March 3, 1797.

#### THE ELECTION OF 1800.

Congress met December 2, 1799, with a decided federalist **Sixth Congress,** } majority. This is due to the fact that its **First Session.** } representatives had been chosen during the prevalence of the war spirit just after the return of the envoys from France, and before the irritation growing out of the enforcement of the alien and sedition laws became prevalent. During this session members of Congress nominated presidential candidates. The federal candidates were John Adams, for President, and Charles C. Pinkney, for Vice-President. There was, at this time, a lack of harmony in the federal party owing to a difference of views between Hamilton, the recognized leader of the party, and John Adams, its official representative. Pending the nominations, Hamilton wrote a pamphlet, intended for private circulation only, setting forth the defects in the character of Mr. Adams and the "superior fitness of Mr. Pinkney" for the presidential office. This, added to the unpopularity of many of the measures of Adams' administration, greatly crippled the strength of the federal party. The President was personally weakened with his party by his pardon of Fries, the leader of the armed resistance in Pennsylvania to direct taxes, for which he had been convicted of treason. The republicans were united upon Thomas Jefferson and Aaron Burr as candidates for the executive offices. The contest that followed was earnest and bitter. The republicans triumphed in the election of their

candidates, having seventy-three electors to sixty-five for the federalists. During the sittings of this Congress, the sad news was received of the death of General Washington. He died at Mount Vernon, December 14, 1799. The session adjourned May 14, 1800.

Congress met November 17, 1800. This session was principally taken up with the undecided presidential election, caused by the defective provisions of the constitution. In February, 1801, the votes of the electors were counted, and resulted as follows: Jefferson, 73; Burr, 73; Adams, 65; Pinkney, 64; John Jay, 1. Jefferson and Burr receiving an equal number of votes, the election was thrown into the House of Representatives, by whom a choice was to be made between the two highest candidates, each state having one vote. Thomas Jefferson was chosen on the thirty-sixth ballot. During the excitement preceding the election the country was in peril. The federalists thought of casting the election on the Senate if the states could make no choice. To this the republicans threatened forcible resistance. The efforts of the federalists in the House to defeat Jefferson, by forming a coalition with the friends of Burr, caused a great number to desert the federal ranks and join the republicans. Congress adjourned March 3, 1801, and on March 4 Jefferson and Burr were sworn into office. Mr. Adams left Washington early in the morning without waiting to attend the inaugural ceremonies.

#### DEMOCRATS.

“Democratic-Republican,” abbreviated to the second word, continued to be the name of the party of Jefferson. The unpopularity of Adams’ administration was transferred to the federal party, and the name “democrat,” by which this organization stigmatized the minority, was adopted by a good

portion of them, and became a synonym for the word republican.

#### DOWNFALL OF FEDERALISM.

The election of 1800 broke the scepter of Federal power. The defeated factions charged each other with causing the downfall of the federal party. But for this political prostration there were other causes. The party, from the first, had to contend against a numerical majority, and only maintained its supremacy through superior organization and skillful leaders; it organized a government "novel in its character, and well calculated to create diversity of opinion relative to the details of administration;" it adhered to the policy of non-interference with the affairs of foreign nations, a policy which, as regards England and France, was not approved by large numbers of the people; it increased the expenditures of the government to meet the rapid expansion and growing demand of the country, and this increase met with opposition, the causes not being sought out and fully understood. The federal party did not fall without honor. "To it belongs the proud distinction of having laid the foundation of the government structure, and of having reared the machinery for its operation. The principles of the party survived its existence; they were denounced by the opposition, but were generally re-established and maintained by the party that succeeded to power." (Plate VI.)

#### POLITICAL PLATFORMS.

The history of political platforms began in John Adams' administration, as a result of the severe laws passed by Congress. The first political platform to command general attention in our country, was drawn by Mr. Madison, whose object was to define the rights of the states and pronounce the alien and sedition laws unconstitutional. The thoughts which he set forth in this were accepted by the Virginia

legislature, and constitute what is known as the Virginia resolutions of 1798. The Kentucky resolutions of this and the succeeding year enunciate the same views. The first platform adopted by a political party was prepared at Philadelphia, by a caucus of democratic-republicans. It embodied the principles of that party, as understood by Thomas Jefferson, who was author of its resolutions.

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## EXECUTIVE OFFICERS OF JOHN ADAMS' ADMINISTRATION.

John Adams.....	President.....	1797-1801
Thomas Jefferson.....	Vice-President.....	1797-1801

## CABINET.

Timothy Pickering.....	Secretary of State.....	1795-1800
John Marshall.....	“ “ .....	1800-1801
Oliver Wolcott.....	Secretary of Treasury.....	1795-1801
Samuel Dexter.....	“ “ “ .....	1801-1801
James McHenry.....	Secretary of War.....	1796-1800
Samuel Dexter.....	“ “ .....	1800-1801
Roger Griswold.....	“ “ .....	1801-1801

**JOHN ADAMS' ADMINISTRATION.**

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<b>Benjamin Stoddart.....</b>	<b>Secretary of Navy.....</b>	<b>1798-1801</b>
<b>Joseph Habersham.....</b>	<b>Postmaster-General.....</b>	<b>1795-1801</b>
<b>Charles Lee.....</b>	<b>Attorney-General.....</b>	<b>1795-1801</b>

**JUDICIAL OFFICERS.**

<b>John Marshall.....</b>	<b>Chief Justice.....</b>	<b>1801-1835</b>
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**LEGISLATIVE OFFICERS.**

<b>Jonathan Dayton.....</b>	<b>Speaker of House.....</b>	<b>1797-1799</b>
<b>Theodore Sedgwick.....</b>	<b>Speaker of House.....</b>	<b>1799-1801</b>

VIRGINIA RESOLUTIONS OF 1798,  
PRONOUNCING  
THE ALIEN AND SEDITION LAWS UNCONSTITUTIONAL,  
AND  
DEFINING THE RIGHTS OF THE STATES.—DRAWN BY MR. MADISON.

IN THE VIRGINIA HOUSE OF DELEGATES,  
FRIDAY, December 21, 1798.

*Resolved*, That the general assembly of Virginia doth unequivocally express a firm resolution to maintain and defend the constitution of the United States, and the constitution of this state, against every aggression either foreign or domestic; and that they will support the government of the United States in all measures warranted by the former.

That this assembly most solemnly declares a warm attachment to the Union of the states, to maintain which it pledges its powers; and, that for this end, it is their duty to watch over and oppose every infraction of those principles which constitute the only basis of that Union, because a faithful observance of them can alone secure its existence and the public happiness.

That this assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states, who are parties thereto, have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them.

That the general assembly doth also express its deep regret, that a spirit has, in sundry instances, been manifested by the federal government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and, that indications have appeared of a design to expound certain general phrases (which, having been copied from the very limited grant of powers in the former articles of confederation, were the less liable to be misconstrued) so as to destroy the meaning and effect of the particular enumeration which necessarily explains, and limits the general phrases, and so as to consolidate the states by degrees into one

sovereignty, the obvious tendency and inevitable result of which would be, to transform the present republican system of the United States into an absolute, or at best, a mixed monarchy.

That the general assembly doth particularly protest against the palpable and alarming infractions of the constitution, in the two late cases of the "Alien and Sedition Acts," passed at the last session of Congress; the first of which exercises a power nowhere delegated to the federal government, and which, by uniting legislative and judicial powers to those of executive, subverts the general principles of free government as well as the particular organization and positive provisions of the federal constitution; and the other of which acts exercises, in like manner, a power not delegated by the constitution, but, on the contrary, expressly and positively forbidden by one of the amendments thereto; a power which, more than any other, ought to produce universal alarm, because it is leveled against the right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed the only effectual guardian of every other right.

That this state having, by its convention, which ratified the federal constitution, expressly declared, that, among other essential rights, "the liberty of conscience and the press can not be cancelled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry and ambition, having, with other states, recommended an amendment for that purpose, which amendment was, in due time, annexed to the constitution, it would mark a reproachful inconsistency, and criminal degeneracy, if an indifference were now shown to the most palpable violation of one of the rights, thus declared and secured, and to the establishment of a precedent which may be fatal to the other.

That the good people of this commonwealth, having ever felt, and continuing to feel the most sincere affection for their brethren of the other states; the truest anxiety for establishing and perpetuating the Union of all; and the most scrupulous fidelity to that constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness; the generally assembly doth solemnly appeal to the like dispositions in the other states, in confidence that they will concur with this commonwealth, in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional; and, that the necessary and proper measures will be taken by each for co-operating with this state, in maintaining unimpaired the authorities, rights, and liberties, reserved to the states, respectively, or to the people.

That the governor be desired to transmit a copy of the foregoing resolutions to the executive authority of each of the other states, with a request



that the same may be communicated to the legislature thereof; and that a copy be furnished to each of the senators and representatives representing this state in the Congress of the United States.

Attest :

JOHN STEWART,

1798. December 24th. Agreed to by the Senate.

H. BROOKE.

A true copy from the original, deposited in the office of the General Assembly.  
JOHN STEWART, *Keeper of Rolls.*

#### EXTRACTS FROM THE ADDRESS TO THE PEOPLE,

*Which accompanied the foregoing resolutions.*

Fellow Citizens: Unwilling to shrink from our representative responsibility, conscious of the purity of our motives, but acknowledging your right to supervise our conduct, we invite your serious attention to the emergency which dictated the subjoined resolutions. Whilst we disdain to alarm you by ill-founded jealousies, we recommend an investigation, guided by the coolness of wisdom, and a decision bottomed on firmness, but tempered with moderation.

It would be perfidious in those intrusted with the guardianship of the state sovereignty, and acting under the solemn obligation of the following oath: "I do swear, that I will support the constitution of the United States," not to warn you of encroachments, which, though clothed with the pretext of necessity, or disguised by arguments of expediency, may yet establish precedents, which may ultimately devote a generous and unsuspecting people to all the consequences of usurped power.

Encroachments, springing from a government whose organization can not be maintained without the co-operation of the states, furnish the strongest incitements upon the state legislatures to watchfulness, and impose upon them the strongest obligation to preserve unimpaired the line of partition.

The acquiescence of the states under infractions of the federal compact, would either beget a speedy consolidation, by precipitating the state governments into impotency and contempt; or prepare the way for a revolution, by a repetition of these infractions, until the people are aroused to appear in the majesty of their strength. It is to avoid these calamities, that we exhibit to the people the momentous question, whether the constitution of the United States shall yield to a construction which defies every restraint and overwhelms the best hopes of republicanism.

Exhortations to disregard domestic usurpations until foreign danger shall have passed, is an artifice which may be forever used; because the possessors of power, who are the advocates for its extension, can ever create

national embarrassments, to be successively employed to soothe the people into sleep, whilst that power is swelling silently, secretly, and fatally. Of the same character are insinuations of a foreign influence, which seize upon a laudable enthusiasm against danger from abroad, and distort it by an unnatural application, so as to blind your eyes against danger at home.

The sedition act presents a scene which was never expected by the early friends of the constitution. It was then admitted that the state sovereignties were only diminished by powers specifically enumerated, or necessary to carry the specified powers into effect. Now federal authority is deduced from implication, and from the existence of state law it is inferred that Congress possesses a similar power of legislation; whence Congress will be endowed with a power of legislation in all cases whatsoever, and the states will be stript of every right reserved by the concurrent claims of a paramount legislature.

The sedition act is the offspring of these tremendous pretensions, which inflict a death wound on the sovereignty of these states.

For the honor of American understanding, we will not believe that the people have been allured into the adoption of the constitution by an affectation of defining powers, whilst the preamble would admit a construction which would erect the will of Congress into a power paramount in all cases, and therefore limited in none. On the contrary, it is evident that the objects for which the constitution was formed were deemed attainable only by a particular enumeration and specification of each power granted to the federal government; reserving all others to the people, or to the states. And yet it is in vain we search for any specified power, embracing the right of legislation against the freedom of the press.

Had the states been despoiled of their sovereignty by the generality of the preamble, and had the federal government been endowed with whatever they should judge to be instrumental towards union, justice, tranquility, common defense, general welfare, and the preservation of liberty, nothing could have been more frivolous than an enumeration of powers.

All the preceding arguments rising from a deficiency of constitutional power in Congress, apply to the alien act, and this act is liable to other objections peculiar to itself. If a suspicion that aliens are dangerous constitutes the justification of that power exercised over them by Congress, then a similar suspicion will justify the exercise of a similar power over natives; because there is nothing in the constitution distinguishing between the power of a state to permit the residence of natives and aliens. It is therefore a right originally possessed, and never surrendered by the respective states, and which is rendered dear and valuable to Virginia, because it is assailed through the bosom of the constitution, and because

her peculiar situation renders the easy admission of artisans and laborers an interest of vast importance.

But this bill contains other features, still more alarming and dangerous. It dispenses with the trial by jury; it violates the judicial system; it confounds legislative, executive, and judicial powers; it punishes without trial; and it bestows upon the President despotic power over a numerous class of men. Are such measures consistent with our constitutional principles? And will an accumulation of power so extensive in the hands of the executive, over aliens, secure to natives the blessings of republican liberty?

If measures can mould governments, and if an uncontrolled power of construction is surrendered to those who administer them, their progress may be easily foreseen and their end easily foretold. A lover of monarchy, who opens the treasures of corruption, by distributing emolument among devoted partisans, may at the same time be approaching his object, and deluding the people with professions of republicanism. He may confound monarchy and republicanism, by the art of definition. He may varnish over the dexterity which ambition never fails to display, with the pliancy of language, the seduction of expediency, or the prejudices of the times. And he may come at length to avow that so extensive a territory as that of the United States can only be governed by the energies of monarchy; that it can not be defended, except by standing armies; and that it can not be united, except by consolidation.

Measures have already been adopted which may lead to these consequences. They consist:

In fiscal systems and arrangements, which keep a host of commercial and wealthy individuals, embodied and obedient to the mandates of the treasury.

In armies and navies, which will, on the one hand, enlist the tendency of man to pay homage to his fellow-creature who can feed or honor him; and on the other, employ the principle of fear, by punishing imaginary insurrections, under the pretext of preventive justice.

In swarms of officers, civil and military, who can inculcate political tenets tending to consolidation and monarchy, both by indulgences and severities, and can act as spies over the free exercise of human reason.

In restraining the freedom of the press, and investing the executive with legislative, executive, and judicial powers, over a numerous body of men.

And, that we may shorten the catalogue, in establishing by successive precedents such a mode of construing the constitution as will rapidly remove every restraint upon federal power.

Let history be consulted; let the man of experience reflect; nay, let the

artificers of monarchy be asked what farther materials they can need for building up their favorite system?

These are solemn but painful truths; and yet we recommend it to you not to forget the possibility of danger from without, although danger threatens us from within. Usurpation is indeed dreadful, but against foreign invasion, if that should happen, let us rise with hearts and hands united, and repel the attack with the zeal of freemen, who will strengthen their title to examine and correct domestic measures by having defended their country against foreign aggression.

Pledged as we are, fellow citizens, to these sacred engagements, we yet humbly and fervently implore the Almighty Disposer of events to avert from our land, war and usurpation, the scourges of mankind; to permit our fields to be cultivated in peace; to instill into nations the love of friendly intercourse; to suffer our youth to be educated in virtue; and to preserve our morality from the pollution invariably incident to habits of war; to prevent the laborer and husbandman from being harrassed by taxes and imposts; to remove from ambition the means of disturbing the commonwealth; to annihilate all pretexts for power afforded by war; to maintain the constitution; and to bless our nation with tranquility, under whose benign influence we may reach the summit of happiness and glory, to which we are destined by Nature and Nature's God.

Attest:

JOHN STEWART, *C. H. D.*

1799, Jan. 23. Agreed to by the Senate.

H. BROOKE, *C. S.*

A true copy from the original, deposited in the office of the General Assembly.

JOHN STEWART, *Keeper of Rolls.*

#### ANSWERS OF THE SEVERAL STATE LEGISLATURES.

##### *State of Delaware.*

In the House of Representatives, February 1, 1799. *Resolved*, By the Senate and House of Representatives of the state of Delaware, in general assembly met, that they consider the resolutions from the state of Virginia as a very unjustifiable interference with the general government and constituted authorities of the United States, and of dangerous tendency, and therefore not fit subject for the further consideration of the general assembly.

ISAAC DAVIS, *Speaker of the Senate.*

STEPHEN LEWIS, *Speaker of the H. of R's.*

Test: JOHN FISHER, *C. S.*

JOHN CALDWELL, *C. H. R.*

##### *State of Rhode Island and Providence Plantations.*

In General Assembly, February, A. D. 1799. Certain resolutions of the

legislature of Virginia, passed on the 21st of December last, being communicated to this Assembly—

1. *Resolved*, That, in the opinion of this legislature, the second section of the third article of the constitution of the United States in these words, to wit: The judicial power shall extend to all cases arising under the laws of the United States, vests in the federal courts, exclusively, and in the Supreme Court of the United States ultimately, the authority of deciding on the constitutionality of any act or law of the Congress of the United States.

2. *Resolved*, That for any state legislature to assume that authority would be,

1st. Blending together legislative and judicial powers.

2d. Hazarding an interruption of the peace of the states by civil discord, in case of a diversity of opinions among the state legislatures; each state having, in that case, no resort for vindicating its own opinions, but to the strength of its own arm.

3d. Submitting most important questions of law to less competent tribunals; and

4th. An infraction of the constitution of the United States, expressed in plain terms.

3. *Resolved*, That although for the above reasons, this legislature, in their public capacity, do not feel themselves authorized to consider and decide on the constitutionality of the sedition and alien laws (so called); yet they are called upon by the exigency of this occasion, to declare, that in their private opinions, these laws are within the powers delegated to Congress, and promotive of the welfare of the United States.

4. *Resolved*, That the governor communicate these resolutions to the supreme executive of the state of Virginia, and at the same time express to him that this legislature can not contemplate, without extreme concern and regret, the many evil and fatal consequences which may flow from the very unwarrantable resolutions aforesaid, of the legislature of Virginia, passed on the twenty-first day of December last.

A true copy.

SAMUEL EDDY, *Secretary*.

*Commonwealth of Massachusetts.*

In Senate, February 9, 1799. The legislature of Massachusetts having taken into serious consideration the resolutions of the state of Virginia, passed the 21st day of December last, and communicated by his excellency the governor, relative to certain supposed infractions of the constitution of the United States, by the government thereof, and being convinced that the federal constitution is calculated to promote the happiness, prosperity, and safety of the people of these United States, and to maintain that union of the several states, so essential to the welfare of the whole; and being

bound by solemn oath to support and defend that constitution, feel it unnecessary to make any professions of their attachment to it, or of their firm determination to support it against every aggression, foreign or domestic.

But they deem it their duty solemnly to declare, that while they hold sacred the principle, that consent of the people is the only pure source of just and legitimate power, they can not admit the right of the state legislatures to denounce the administration of that government to which the people themselves, by a solemn compact, have exclusively committed their national concerns: That, although a liberal and enlightened vigilance among the people is always to be cherished, yet an unreasonable jealousy of the men of their choice, and a recurrence to measures of extremity, upon groundless or trivial pretexts, have a strong tendency to destroy all rational liberty at home, and to deprive the United States of the most essential advantages in their relations abroad: That this legislature are persuaded that the decision of all cases in law and equity, arising under the constitution of the United States, and the construction of all laws made in pursuance thereof, are exclusively vested by the people in the judicial courts of the United States.

That the people in that solemn compact, which is declared to be the supreme law of the land, have not constituted the state legislatures the judges of the acts or measures of the federal government, but have confided to them the power of proposing such amendments of the constitution, as shall appear to them necessary to the interests, or conformable to the wishes of the people whom they represent.

That by this construction of the constitution, an amicable and dispassionate remedy is pointed out for any evil which experience may prove to exist, and the peace and prosperity of the United States may be preserved without interruption.

But, should the respectable state of Virginia persist in the assumption of the right to declare the acts of the national government unconstitutional, and should she oppose successfully her force and will to those of the nation, the constitution would be reduced to a mere cipher, to the form and pageantry of authority, without the energy of power. Every act of the federal government which thwarted the views or checked the ambitious projects of a particular state, or of its leading and influential members, would be the object of opposition and of remonstrance; while the people, convulsed and confused by the conflict between two hostile jurisdictions, enjoying the protection of neither, would be wearied into a submission to some bold leader, who would establish himself on the ruins of both.

The legislature of Massachusetts, although they do not themselves claim the right, nor admit the authority of any of the state governments,

to decide upon the constitutionality of the acts of the federal government, still, lest their silence should be construed into disapprobation, or at best into a doubt of the constitutionality of the acts referred to by the state of Virginia; and, as the general assembly of Virginia has called for an expression of their sentiments, do explicitly declare, that they consider the acts of Congress, commonly called "the alien and sedition acts," not only constitutional, but expedient and necessary: That the former act respects a description of persons whose rights were not particularly contemplated in the constitution of the United States, who are entitled only to a temporary protection, while they yield a temporary allegiance; a protection which ought to be withdrawn whenever they become "dangerous to the public safety," or are found guilty of "treasonable machination" against the government: that Congress, having been especially intrusted by the people with the general defense of the nation, had not only the right, but were bound to protect it against internal as well as external foes: That the United States, at the time of passing the *act concerning aliens*, were threatened with actual invasion, had been driven by the unjust and ambitious conduct of the French government into warlike preparations, expensive and burdensome, and had then, within the bosom of the country, thousands of aliens, who, we doubt not, were ready to co-operate in any external attack.

It can not be seriously believed, that the United States should have waited till the poignard had in fact been plunged. The removal of aliens is the usual preliminary of hostility, and is justified by the invariable usages of nations. Actual hostility had unhappily long been experienced, and a formal declaration of it the government had reason daily to expect. The law, therefore, was just and salutary, and no officer could, with so much propriety, be intrusted with the execution of it, as the one in whom the constitution has reposed the executive power of the United States.

The *sedition act*, so-called, is, in the opinion of this legislature, equally defensible. The general assembly of Virginia, in their resolve under consideration, observe, that when that state by its convention ratified the federal constitution, it expressly declared, "That, among other essential rights, the liberty of conscience and of the press can not be cancelled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry or ambition, with other states, recommend an amendment for that purpose; which amendment was, in due time, annexed to the constitution; but they did not surely expect that the proceedings of their state convention were to explain the amendment adopted by the union. The words of that amendment, on this subject, are, "Congress shall make no law abridging the freedom of speech or of the press."

The act complained of is no abridgement of the freedom of either. The genuine liberty of speech and the press, is the liberty to utter and publish the truth; but the constitutional right of the citizen to utter and publish the truth, is not to be confounded with the licentiousness in speaking and writing, that is only employed in propagating falsehood and slander. This freedom of the press has been explicitly secured by most, if not all, the state constitutions; and of this provision there has been generally but one construction among enlightened men; that it is a security for the rational use and not the abuse of the press; of which the courts of law, the juries, and people will judge; this right is not infringed, but confirmed and established by the late act of Congress.

By the constitution, the legislative, executive, and judicial departments of government are ordained and established; and general enumerated powers vested in them respectively, including those which are prohibited to the several states. Certain powers are granted in general terms by the people to their general government, for the purposes of their safety and protection. The government is not only empowered, but it is made their duty to repel invasions and suppress insurrections; to guaranty to the several states a republican form of government; to protect each state against invasion, and, when applied to, against domestic violence; to hear and decide all cases in law and equity, arising under the constitution, and under any treaty or law made in pursuance thereof; and all cases of admiralty and maritime jurisdiction, and relating to the law of nations. Whenever, therefore, it becomes necessary to effect any of the objects designated, it is perfectly consonant to all just rules of construction, to infer that the usual means and powers necessary to the attainment of that object, are also granted. But the constitution has left no occasion to resort to implication for these powers; it has made an express grant of them, in the 8th section of the first article, which ordains, "That Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the constitution in the government of the United States, or in any department or officer thereof."

This constitution has established a supreme court of the United States, but has made no provisions for its protection, even against such improper conduct in its presence, as might disturb its proceedings, unless expressed in the section before recited. But as no statute has been passed on this subject, this protection is, and has been for nine years past, uniformly found in the application of the principles and usages of the common law. The same protection may unquestionably be afforded by a statute passed in virtue of the before-mentioned section, as necessary and proper, for



carrying into execution the powers vested in that department. A construction of the different parts of the constitution, perfectly just and fair, will, on analogous principles, extend protection and security against the offences in question, to the other departments of government, in discharge of their respective trusts.

The President of the United States is bound by his oath "to preserve, protect, and defend the constitution," and it is expressly made his duty, "to take care that the laws be faithfully executed;" but this would be impracticable by any created being, if there could be no legal restraint of those scandalous misrepresentations of his measures and motives, which directly tend to rob him of the public confidence. And equally impotent would be every other public officer, if thus left to the mercy of the seditious.

It is holden to be a truth most clear, that the important trusts before enumerated can not be discharged by the government to which they are committed, without the power to restrain seditious practices and unlawful combinations against itself, and to protect the officers thereof from abusive misrepresentations. Had the constitution withheld this power, it would have made the government responsible for the effects, without any control over the causes which naturally produce them, and would have essentially failed of answering the great ends for which the people of the United States declare, in the first clause of that instrument, that they establish the same, viz: "To form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and posterity."

Seditious practices and unlawful combinations against the federal government, or any officer thereof, in the performance of his duty, as well as licentiousness of speech and of the press, were punishable on the principles of common law, in the courts of the United States, before the act in question was passed. This act then is an amelioration of that law in favor of the party accused, as it mitigates the punishment which that authorizes, and admits of any investigation of public men and measures which is regulated by truth. It is not intended to protect men in office, only as they are agents of the people. Its object is to afford legal security to public offices and trusts created for the safety and happiness of the people, and, therefore, the security derived from it is for the benefit of the people, and is their right.

The construction of the constitution and of the existing law of the land, as well as the act complained of, the legislature of Massachusetts most deliberately and firmly believe results from a just and full view of the several parts of the constitution: and they consider that act to be wise and necessary, as an audacious and unprincipled spirit of falsehood and abuse

had been too long unremittingly exerted for the purpose of perverting public opinion, and threatened to undermine and destroy the whole fabric of government.

The legislature further declare, that in the foregoing sentiments they have expressed the general opinion of their constituents, who have not only acquiesced without complaint in those particular measures of the federal government, but have given their explicit approbation by re-electing those men who voted for the adoption of them. Nor is it apprehended, that the citizens of this state will be accused of supineness or of an indifference to their constitutional rights; for while, on the one hand, they regard with due vigilance the conduct of the government, on the other, their freedom, safety and happiness require, that they should defend that government and its constitutional measures against the open or insidious attacks of any foe, whether foreign or domestic.

And, lastly, that the legislature of Massachusetts feel a strong conviction, that the several United States are connected by a common interest which ought to render their union indissoluble, and that this state will always co-operate with its confederate states in rendering that union productive of mutual security, freedom, and happiness.

Sent down for concurrence.

SAMUEL PHILLIPS, *President*.

In the House of Representatives, February 13, 1799.

Read and concurred.

EDWARD H. ROBBINS, *Speaker*.

A true copy. Attest: JOHN AVERY, *Secretary*.

*State of New York.*

In Senate, March 5, 1799. WHEREAS, The people of the United States have established for themselves a free and independent national government; and whereas it is essential to the existence of every government, that it have authority to defend and preserve its constitutional powers inviolate, inasmuch as every infringement thereof tends to its subversion; and whereas the judicial power extends expressly to all cases of law and equity arising under the constitution and laws of the United States whereby the interference of the legislatures of the particular states in those cases is manifestly excluded; and whereas our peace, prosperity, and happiness, eminently depend on the preservation of the Union, in order to which, a reasonable confidence in the constituted authorities and chosen representatives of the people is indispensable; and whereas every measure calculated to weaken that confidence has a tendency to destroy the usefulness of our public functionaries, and to excite jealousies equally hostile to rational liberty, and the principles of a good republican government; and whereas the Senate, not perceiving that the rights of the particular states have been violated, nor any unconstitutional powers assumed

by the general government, can not forbear to express the anxiety and regret with which they observe the inflammatory and pernicious sentiments and doctrines which are contained in the resolutions of the legislatures of Virginia and Kentucky—sentiments and doctrines, no less repugnant to the constitution of the United States, and the principles of their union, than destructive to the federal government and unjust to those whom the people have elected to administer it; wherefore—

*Resolved*, That while the Senate feel themselves constrained to bear unequivocal testimony against such sentiments and doctrines, they deem it a duty no less indispensable, explicitly to declare their incompetency, as a branch of the legislature of this state, to supervise the acts of the general government.

*Resolved*, That his excellency, the governor, be, and he is hereby requested to transmit a copy of the foregoing resolution to the executives of the states of Virginia and Kentucky, to the end that the same may be communicated to the legislatures thereof.

A true copy.

ABM. B. BAUCKER, *Clerk*.

*State of Connecticut.*

At a general assembly of the state of Connecticut, holden at Hartford, in the said state, on the second Thursday of May, Anno Domini 1799, his excellency, the governor, having communicated to this assembly sundry resolutions of the legislature of Virginia, adopted in December, 1798, which relate to the measures of the general government; and the said resolutions having been considered, it is

*Resolved*, That this assembly views with deep regret, and explicitly disavows, the principles contained in the aforesaid resolutions; and particularly the opposition to the "Alien and Sedition acts"—acts which the constitution authorized; which the exigency of the country rendered necessary; which the constituted authorities have enacted, and which merit the entire approbation of this assembly. They, therefore, decidedly refuse to concur with the legislature of Virginia, in promoting any of the objects attempted in the aforesaid resolutions. And it is further

*Resolved*, That his excellency, the governor, be requested to transmit a copy of the foregoing resolution to the governor of Virginia, that it may be communicated to the legislature of that state.

Passed in the House of Representatives unanimously.

Attest:

JOHN C. SMITH, *Clerk*.

Concurred, unanimously, in the upper House.

Teste:

SAM. WYLLYS, *Sec'y*.

*State of New Hampshire.*

In the House of Representatives, June 14, 1799. The committee to take into consideration the resolutions of the general assembly of Virginia,

dated December 21, 1798; also certain resolutions of the legislature of Kentucky, of the 10th of November, 1798; report as follows:

The legislature of New Hampshire, having taken into consideration certain resolutions of the general assembly of Virginia, dated December 21, 1798; also certain resolutions of the legislature of Kentucky, of the 10th of November, 1798,—

*Resolved*, That the legislature of New Hampshire unequivocally express a firm resolution to maintain and defend the constitution of the United States, and the constitution of this state, against every aggression, either foreign or domestic, and that they will support the government of the United States in all measures warranted by the former.

That the state legislatures are not the proper tribunals to determine the constitutionality of the laws of the general government; that the duty of such decision is properly and exclusively confided to the judicial department.

That if the legislature of New Hampshire, for mere speculative purposes, were to express an opinion on the acts of the general government, commonly called "The Alien and Sedition bills," that opinion would unreservedly be, that those acts are constitutional, and, in the present critical situation of our country, highly expedient.

That the constitutionality and expediency of the acts aforesaid have been very ably advocated and clearly demonstrated by many citizens of the United States, more especially by the minority of the general assembly of Virginia. The legislature of New Hampshire, therefore, deem it unnecessary, by any train of arguments, to attempt further illustration of the propositions, the truth of which, it is confidently believed, at this day, is very generally seen and acknowledged.

Which report, being read and considered, was unanimously received and accepted, one hundred and thirty-seven members being present.

Sent up for concurrence.

JOHN PRENTICE, *Speaker*.

In Senate, same day, read and concurred in unanimously.

AMOS SHEPARD, *President*.

Approved June 15, 1799.

J. T. GILMAN, *Governor*.

A true copy.

Attest:

JOSEPH PEARSON, *Secretary*.

*State of Vermont.*

In the House of Representatives, October 30, A. D. 1799. The House proceeded to take under their consideration the resolutions of the general assembly of Virginia, relative to certain measures of the general government, transmitted to the legislature of this state for their consideration; whereupon,

*Resolved*, That the general assembly of the state of Vermont do highly disapprove of the resolutions of the general assembly of the state of Virginia, as being unconstitutional in their nature and dangerous in their tendency. It belongs not to state legislatures to decide on the constitutionality of the laws made by the general government; this power being exclusively vested in judiciary courts of the union.

That his excellency the governor be requested to transmit a copy of this resolution to the executive of Virginia, to be communicated to the general assembly of that state; and that the same be sent to the governor and council for their concurrence.

SAMUEL C. CRAFTS, *Clerk*.

In council, October 30, 1799. Read and concurred in unanimously.

RICHARD WHITNEY, *Secretary*.

### RESOLUTIONS OF 1798 AND 1799.

(The original draft prepared by Thomas Jefferson.)

The following resolutions passed the House of Representatives of Kentucky, November 10, 1798: On the passage of the first resolution, one dissentient; 2d, 3d, 4th, 5th, 6th, 7th, 8th, two dissentients; 9th, three dissentients.

1. *Resolved*, That the several states composing the United States of America, are not united on the principle of unlimited submission to their general government; but that by compact under the style and title of a constitution for the United States, and of amendments thereto, they constituted a general government for special purposes, delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government; and, that whensoever the general government assumes undelegated powers, its acts are unauthorized, void, and of no force; that to this compact each state acceded as a state, and is an integral party; that this government, created by this compact, was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the constitution, the measure of its powers; but, that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

2. *Resolved*, That the constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies and felonies committed on the high seas, and offenses against the laws of nations, and no other crimes whatever; and it being true, as a general principle, and one of the amendments to the constitution having also declared, "that the powers not delegated to the United States by the constitution, nor prohibited by it to the

states, are reserved to the states respectively, or to the people," therefore also the same act of Congress, passed on the 14th day of July, 1798, and entitled "An act in addition to the act entitled An act for the punishment of certain crimes against the United States;" as also the act passed by them on the 27th day of June, 1798, entitled "An act to punish frauds committed on the Bank of the United States," (and all other their acts which assume to create, define, or punish crimes other than those enumerated in the constitution), are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective states, each within its own territory.

3. *Resolved*, That it is true, as a general principle, and is also expressly declared by one of the amendments to the constitution, that "the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people;" and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the constitution, nor prohibited by it to the states, all lawful powers respecting the same did of right remain, and were reserved to the states or to the people; that thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which can not be separated from their use should be tolerated rather than the use be destroyed; and thus also they guarded against all abridgment by the United States, of the freedom of religious principles and exercises, and retained to themselves the right of protecting the same, as this, stated by a law passed on the general demand of its citizens, had already protected them from all human restraint or interference: and that, in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the constitution, which expressly declares that "Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press," thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, insomuch that whatever violates either, throws down the sanctuary which covers the others; and that libels, falsehood, and defamation, equally with heresy and false religion, are withheld from the cognizance of federal tribunals. That therefore the act of the Congress of the United States, passed on the 14th of July, 1798, entitled "An act in addition to the act entitled An act for the punishment of certain crimes against the United States," which does abridge the freedom of the press, is not law, but is altogether void and of no force.

4. *Resolved*, That alien friends are under the jurisdiction and protection of the laws of the state wherein they are; that no power over them has been delegated to the United States, nor prohibited to the individual states distinct from their power over citizens; and it being true, as a general principle, and one of the amendments to the constitution having also declared, that "the powers not delegated to the United States by the constitution, nor prohibited to the states, are reserved to the states respectively, or to the people," the act of the Congress of the United States, passed the 22d day of June, 1798, entitled "An act concerning aliens," which assumes power over alien friends not delegated by the constitution, is not law, but is altogether void and of no force.

5. *Resolved*, That in addition to the general principle as well as the express declaration, that powers not delegated are reserved, another and more special provision inferred in the constitution, from abundant caution has declared, "that the migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808." That this commonwealth does admit the migration of alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration is a provision against all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is, therefore, contrary to the said provision of the constitution, and void.

6. *Resolved*, That the imprisonment of a person under the protection of the laws of this commonwealth on his failure to obey the simple order of the President to depart out of the United States, as is undertaken by the said act, entitled, "An act concerning aliens," is contrary to the constitution, one amendment in which has provided that "no person shall be deprived of liberty without due process of law," and, that another having provided, "that in all criminal prosecutions, the accused shall enjoy the right to a public trial by an impartial jury, to be informed as to the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have assistance of counsel for his defense," the same act undertaking to authorize the President to remove a person out of the United States who is under the protection of the law, on his own suspicion, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favor, without defense, without counsel, is contrary to these provisions also of the constitution, is therefore not law, but utterly void and of no force.

That transferring the power of judging any person who is under the protection of the laws, from the courts to the President of the United States,

as is undertaken by the same act concerning aliens, is against the article of the constitution which provides that "the judicial power of the United States shall be vested in the courts, the judges of which shall hold their office during good behavior," and that the said act is void for that reason also; and it is further to be noted that this transfer of judiciary power is to that magistrate of the general government who already possesses all the executive, and a qualified negative in all the legislative powers.

7. *Resolved*, That the construction applied by the general government (as is evident by sundry of their proceedings) to those parts of the constitution of the United States which delegate to Congress power to lay and collect taxes, duties, imposts, excises; to pay the debts, and provide for the common defense and general welfare of the United States, and to make all laws which shall be necessary and proper for carrying into execution the powers vested by the constitution in the government of the United States, or any department thereof, goes to the destruction of all the limits prescribed to their power by the constitution; that words meant by that instrument to be subsidiary only to the execution of the limited powers, ought not to be so construed as themselves to give unlimited powers, nor a part so to be taken as to destroy the whole residue of the instrument: That the proceedings of the general government, under color of those articles, will be a fit and necessary subject for revisal and correction at a time of greater tranquility, while those specified in the preceding resolutions call for immediate redress.

8. *Resolved*, That the preceding resolutions be transmitted to the senators and representatives in Congress from this commonwealth, who are enjoined to present the same to their respective houses, and to use their best endeavors to procure at the next session of Congress a repeal of the aforesaid unconstitutional and obnoxious acts.

9. *Resolved lastly*, That the governor of this commonwealth be, and is hereby authorized and requested to communicate the preceding resolutions to the legislatures of the several states, to assure them that this commonwealth considers union for special national purposes, and particularly for those specified in their late federal compact, to be friendly to the peace, happiness, and prosperity of all the states—that, faithful to that compact, according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation; that it does also believe, that to take from the states all the powers of self-government, and transfer them to a general and consolidated government, without regard to the special delegations and reservations solemnly agreed to in that compact, is not for the peace, happiness, or prosperity of these states; and that, therefore, this commonwealth is determined, as it doubts not its co-states are, to submit to undelegated and



consequently unlimited powers in no man, or body of men on earth; that if the acts before specified should stand, these conclusions would flow from them: That the general government may place any act they think proper on the list of crimes and punish it themselves, whether enumerated or not enumerated by the constitution as cognizable by them; that they may transfer its cognizance to the President or any other person, who may himself be the accuser, counsel, judge, and jury, whose suspicions may be the evidence, his order the sentence, his officer the executioner, and his breast the sole record of the transaction; that a very numerous and valuable description of the inhabitants of these states, being by this precedent reduced as outlaws to the absolute dominion of one man, and the barriers of the constitution thus swept from us all, no rampart now remains against the passions and the power of a majority of Congress, to protect from a like exportation or other grievous punishment the minority of the same body, the legislatures, judges, governors, and counsellors of the states, nor their other peaceable inhabitants who may venture to reclaim the constitutional rights and liberties of the states and people, or who, for other causes, good or bad, may be obnoxious to the view or marked by the suspicions of the President, or to be thought dangerous to his or their elections or other interests, public or personal; that the friendless alien has been selected as the safest subject of a first experiment; but the citizen will soon follow, or rather has already followed, for, already has a sedition act marked him as a prey; that these and successive acts of the same character, unless arrested on the threshold, may tend to drive these states into revolution and blood, and will furnish new calumnies against republican governments, and new pretexts for those who wish it to be believed, that man can not be governed but by a rod of iron; that it would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; that confidence is everywhere the parent of despotism; free government is found in jealousy and not in confidence; it is jealousy and not confidence which prescribes limited constitutions to bind down those whom we are obliged to trust with power; that our constitution has accordingly fixed the limits to which, and no farther, our confidence may go; and let the honest advocate of confidence read the alien and sedition acts, and say if the constitution has not been wise in fixing limits to the government it created, and whether we should be wise in destroying those limits? Let him say what the government is, if it be not a tyranny, which the men of our choice have conferred on the President, and the President of our choice has assented to and accepted over the friendly strangers, to whom the mild spirit of our country and its laws had pledged hospitality and protection; that the men of our choice have more respected the bare suspicions of the President than the solid rights

of innocence, the claims of justification, the sacred force of truth, and the forms and substance of law and justice. In questions of power, then, let no more be said of confidence in man, but bind him down from mischief by the chains of the constitution. That this commonwealth does, therefore, call on its co-states for an expression of their sentiments on the acts concerning aliens, and for the punishment of certain crimes hereinbefore specified, plainly declaring whether these acts are or are not authorized by the federal compact. And it doubts not that their sense will be so announced as to prove their attachment to limited government, whether general or particular, and that the rights and liberties of their co-states will be exposed to no dangers by remaining embarked on a common bottom with their own; but they will concur with this commonwealth in considering the said acts as so palpably against the constitution as to amount to an undisguised declaration, that the compact is not meant to be the measure of the powers of the general government, but that it will proceed in the exercise over these states of all powers whatsoever. That they will view this as seizing the rights of the states and consolidating them in the hands of the general government, with a power assumed to bind the states (not merely in cases made federal) but in all cases whatsoever, by laws made, not with their consent, but by others against their consent; that this would be to surrender the form of government we have chosen, and live under one deriving its powers from its own will, and not from our authority; and that the co-states recurring to their natural rights in cases not made federal, will concur in declaring these void and of no force, and will each unite with this commonwealth in requesting their repeal at the next session of Congress.

EDMUND BULLOCK, *S. H. R.*

JOHN CAMPBELL, *S. P. T.*

Passed the House of Representatives, November 10, 1798.

Attest:

THOS. TODD, *C. H. R.*

In Senate, November 13, 1798.—Unanimously concurred in.

Attest:

B. THURSTON, *C. S.*

Approved, November 19, 1798.

JAS. GARRARD, *Gov. of Ky.*

HARRY TOULMIN, *Sec. of State.*

By the Governor,

House of Representatives, Thursday, Nov. 14, 1799. The House, according to the standing order of the day, resolved itself into a committee of the whole House, on the state of the commonwealth, Mr. Desha in the chair; and after some time spent therein, the speaker resumed the chair, and Mr. Desha reported that the committee had taken under consideration sundry resolutions passed by several state legislatures, on the subject of the alien and sedition laws, and had come to a resolution thereupon, which

he delivered in at the clerk's table, where it was read and *unanimously* agreed to by the House, as follows:

The representatives of the good people of this commonwealth, in general assembly convened, having maturely considered the answers of sundry states in the Union, to their resolutions passed the last session, respecting certain unconstitutional laws of Congress, commonly called the alien and sedition laws, would be faithless, indeed, to themselves and to those they represent, were they silently to acquiesce in the principles and doctrines attempted to be maintained in all those answers, that of Virginia only excepted. To again enter the field of argument, and attempt more fully or forcibly to expose the unconstitutionality of those obnoxious laws, would, it is apprehended, be as unnecessary as unavailing. We can not, however, but lament that, in the discussion of those interesting subjects by sundry of the legislatures of our sister states, unfounded suggestions and uncandid insinuations, derogatory to the true character and principles of this commonwealth, have been substituted in place of fair reasoning and sound argument. Our opinions of these alarming measures of the general government, together with our reasons for those opinions, were detailed with decency and with temper, and submitted to the discussion and judgment of our fellow citizens throughout the Union. Whether the like decency and temper have been observed in the answers of most of those states who have denied or attempted to obviate the great truths contained in those resolutions, we have now only to submit to a candid world. Faithful to the true principles of the federal Union, unconscious of any designs to disturb the harmony of that Union, and anxious only to escape the fangs of despotism, the good people of this commonwealth are regardless of censure or calumny. Lest, however, the silence of this commonwealth should be construed into an acquiescence in the doctrines and principles advanced and attempted to be maintained by the said answers, or lest those of our fellow citizens throughout the Union who so widely differ from us on those important subjects, should be deluded by the expectation that we shall be deterred from what we conceive our duty, or shrink from the principles contained in those resolutions—therefore,

*Resolved*, That this commonwealth considers the federal Union, upon the terms and for the purposes specified in the late compact, as conducive to the liberty and happiness of the several states; that it does now unequivocally declare its attachment to the Union, and to that compact, agreeably to its obvious and real intention, and will be among the last to seek its dissolution; that if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, an annihilation of the state governments, and the creation upon their ruins

of a general consolidated government, will be the inevitable consequence; that the principle and construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism—since the discretion of those who administer the government, and not the constitution, would be the measure of their powers; that the several states who formed that instrument being sovereign and independent, have the unquestionable right to judge of the infraction; and that a nullification by those sovereignties of all unauthorized acts done under color of that instrument is the rightful remedy; that this commonwealth does, under the most deliberate reconsideration, declare that the said alien and sedition laws are, in their opinion, palpable violations of the said constitution; and, however cheerfully it may be disposed to surrender its opinion to a majority of its sister states, in matters of ordinary or doubtful policy, yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence as highly criminal; that although this commonwealth, as a party to the federal compact, will bow to the laws of the Union, yet it does, at the same time, declare that it will not now, or ever hereafter, cease to oppose in a constitutional manner every attempt, at what quarter soever offered, to violate that compact. And, finally, in order that no pretext or arguments may be drawn from a supposed acquiescence on the part of this commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of the federal compact—this commonwealth does now enter against them its solemn protest.

Extract, etc. Attest:

T. TODD, *C. H. R.*

In Senate, November 22, 1799.—Read and concurred in.

Attest:

B. THURSTON, *C. S.*

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1800.

(No Federal Platform.)

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REPUBLICAN PLATFORM, PHILADELPHIA.

1. An inviolable preservation of the federal constitution, according to the true sense in which it was adopted by the states, that in which it was advocated by its friends, and not that which its enemies apprehended, who, therefore, became its enemies.

2. Opposition to monarchizing its features by the forms of its adminis-

tration, with a view to conciliate a transition, first, to a President and Senate for life; and, secondly, to an hereditary tenure of those offices, and thus to worm out the elective principle.

3. Preservation to the states of the powers not yielded by them to the Union, and to the legislature of the Union its constitutional share in division of powers; and resistance, therefore, to existing movements for transferring all the powers of the states to the general government, and all of those of that government to the executive branch.

4. A rigorously frugal administration of the government, and the application of all the possible savings of the public revenue to the liquidation of the public debt; and resistance, therefore, to all measures looking to a multiplication of officers and salaries, merely to create partisans and to augment the public debt, on the principle of its being a public blessing.

5. Reliance for internal defense solely upon the militia, till actual invasion, and for such a naval force only as may be sufficient to protect our coasts and harbors from depredations; and opposition, therefore, to the policy of a standing army in time of peace which may overawe the public sentiment, and to a navy, which, by its own expenses, and the wars in which it will implicate us, will grind us with public burdens and sink us under them.

6. Free commerce with all nations, political connection with none, and little or no diplomatic establishment.

7. Opposition to linking ourselves, by new treaties, with the quarrels of Europe, entering their fields of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty.

8. Freedom of religion, and opposition to all maneuvers to bring about a legal ascendancy of one sect over another.

9. Freedom of speech and of the press; and opposition, therefore, to all violations of the constitution, to silence, by force, and not by reason, the complaints or criticisms, just or unjust, of our citizens against the conduct of their public agents.

10. Liberal naturalization laws, under which the well disposed of all nations who may desire to embark their fortunes with us and share with us the public burdens, may have that opportunity, under moderate restrictions, for the development of honest intention, and severe ones to guard against the usurpation of our flag.

11. Encouragement of science and the arts in all their branches, to the end that the American people may perfect their independence of all foreign monopolies, institutions, and influences.

## CHAPTER VII.

## THOMAS JEFFERSON'S ADMINISTRATIONS.

1801—1809.

## REPUBLICAN PRINCIPLES.

Thomas Jefferson was inaugurated President, at Washington City, March 4, 1801. He set forth what he considered the essential principles and purposes of our government in his inaugural address, as follows: "Equal and exact justice to all men of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations—entangling alliances with none; the support of the state governments in all their rights as the most competent administration for our domestic concerns, and the surest bulwark against anti-republican tendencies; the preservation of the general government in its whole constitutional vigor, as the sheet-anchor of our peace at home and safety abroad; a jealous care of the right of election by the people; a mild and safe corrective of abuses, which are lopped by the sword of revolution, where peaceable remedies are unprovided; absolute acquiescence, the vital principle of republics from which there is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia our best reliance in peace and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts, and the sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information and arraignment of all abuses at the bar of public reason; the freedom of religion, freedom of the press, freedom of person under the protection of the *habeas*

*corpus*, and trial by juries impartially selected." This became, and continued to be, for a long time, the creed of political faith for a great part of the people. Jefferson's aim was to bring all parties into a unity of action, to do away with political intolerance as religious intolerance had been done away with. "We have called by different names brothers of the same principle. We are all republicans—we are all federalists."

#### OUTLOOK OF THE NEW ADMINISTRATION.

As would be naturally supposed, Jefferson endeavored to shape his policy and manage the government in accordance with republican views. This involved something of a change from the course of affairs during the previous twelve years. But circumstances favored the change. The foreign and domestic difficulties, which had been so troublesome during the previous administration, were all being amicably adjusted. National finances were prosperous, and material resources were increasing rapidly. This administration, it was plain to see, would not be a crisis for the institutions of government, as the previous ones had been, for it accepted them as they had been provided, together with the means of their maintenance, from the administration just driven from power. Jefferson was not disposed, neither would it have been politic, to introduce any violent changes. Cautious and temporizing rather than aggressive, the new President was calculated to deceive the anticipations of the federalists, many of whom took a gloomy view of the future.

#### OFFICIAL PATRONAGE.

The summer of 1801 was occupied with the trouble-question of official appointments. The President's idea was to remove no person from office merely for holding opinions adverse to the party in power; but the republicans, upon their accession to power, made great demands for the offices. The

offices were, of course, generally held by the federalists, while the previous election had shown that the republicans were greatly in the majority. The President proceeded with great care and deliberation, removing only such officeholders as had used their official power for party purposes, or who had been appointed by President Adams after the result of the last election was known. He was thus enabled to satisfy the most urgent demands for place, and he trusted, for the future, to the natural decrease by death and resignation.

#### NATURALIZATION LAW.

Congress met December 7, 1801, with a small republican **Seventh Congress, First Session.** } majority in both houses. The President, instead of appearing in person, as had been the custom previously, and delivering an address to both houses of Congress, sent a written message, an example which succeeding presidents have followed. In his message, the President recommended legislation upon a variety of subjects, and, among others, dwelt at some length upon a revival of the naturalization law of 1798. An act passed in 1795 required a residence of five years and an application three years prior to admission. In 1798 an act was passed extending the time of residence to fourteen years, with five years previous application. This session restored the law of 1795. Congress also made an apportionment of representatives in accordance with the second census, giving one representative to every 33,000 inhabitants, and repealed a judiciary law passed at the previous session by the federalists, which provided for the establishment of twenty-four new federal courts, officered, of course, by federalists. The republicans repealed the law, because, as they claimed, there had not been business enough for the courts already existing, and because the opposite party



in pushing the measure through were actuated only by selfish and partisan motives. Congress adjourned May 3, 1802.

#### THE PURCHASE OF LOUISIANA.

On the 1st of October, 1800, Spain ceded to France the whole of Louisiana, which comprised at that time a vast amount of territory stretching from the mouth to the source of the Mississippi and westward to the Rocky Mountains. This was a matter of deep concern to the United States. In the first place, it hemmed them in on the south and west by one of the belligerent powers of Europe, while another belligerent power was in possession of territory on the north, thus extending the entangling alliances and unsettled policies of European rulers to the western continent. In the second place, it threw a dangerous obstacle in the way of our commercial development to have New Orleans and the mouth of the Mississippi controlled by a foreign power. Under such a condition of things, the inhabitants of the west could not have a market for their products free from annoyances, nor could the complete unity of the empire ever be attained. President Jefferson considered the purchase of Louisiana a matter of very great and even vital importance to the Union. This opinion was also shared by Hamilton, but strongly combatted by the rank and file of the federal party. Here we have a specimen of the transmutation that political parties sometimes undergo with regard to some fundamental question. The federalists had been, in the days of their power, "loose constructionists"—that is, they interpreted the constitution so as to give it assumed powers; while the republicans adhered to a strict construction of the constitution, and violently combatted the federalist idea in this particular. But now the attitude of the two parties, respectively, was changed. The federalists claimed that the constitution did not give Congress the authority to purchase territory, and that such a transac-

tion could not be completed without an amendment being obtained granting such authority. They further maintained that the purchase of Louisiana would give to the southern states the balance of power, which they would continue to hold for all time, since their internal development would be more rapid than that of the northern states; that states developed out of the territory west of the Mississippi would prove injurious to the commerce of New England, and would disturb the political equilibrium which should exist between the east and other sections of the country; and that the admission of the "Western World" into the Union would compel the eastern states to establish an independent empire. The republicans based their argument for annexation upon an attribute of sovereignty, which, they maintained, was transferred to the general government by the individual states. That attribute is the right to acquire territory. The President himself doubted the constitutional right to make such a purchase, but yielded to the views of his friends. Spain having closed New Orleans, which she still controlled, against American commerce, James Monroe was sent to France to buy Florida and the island of Orleans. He found France, owing to her preparations for war with England, in need of money, and, transcending his instructions, he purchased the whole of Louisiana for \$15,000,000. To this bargain the President at once agreed, not because he thought the constitution warranted the purchase and adoption into the Union of foreign territory, but trusting that there would be a general acquiescence on the part of the people in the act as one done for their good. In this he was not disappointed.

Congress met December 6, 1802. Among the things discussed was a constitutional amendment changing the mode of the presidential election. It did not pass, however. Resolutions were passed condemning Spain for closing New Orleans against American

commerce, and a fruitless attempt was made by some of the republicans to abolish the mint. Congress adjourned March 3, 1803.

#### SECESSION CONTEMPLATED.

Upon the accession of Louisiana to the Union the federalists, feeling that the "balance of power" among the states must remain forever with the south, were prompted, some of them, at least, to suggest and plan the secession of the northern states. Their hope of success lay in uniting with the "Burrites," a faction which had broken off from the republican ranks at the election of Mr. Jefferson as the friends and adherents of Aaron Burr. The federalists proposed, by a coalition with his friends, to elect Burr governor of New York and make him the leader of the northern party. This being accomplished, the name federal would be dropped, and the war cry would become "the north!" and "the south!"

Congress met October 17, 1803, the President having called **Eighth Congress,** } an early session in order to give full time  
**First Session.** } for the discussion of the French treaty. The republicans had majorities in both houses. After a long and heated discussion the treaty was ratified, and appropriations made for carrying it out. The mode of electing the President was changed to that which is now in vogue, and this, being ratified by the requisite number of states, became the twelfth amendment. Congress adjourned March 27, 1804.

#### ELECTION OF 1804.

The measures of Jefferson's administration were so popular among the people that he was re-elected by an overwhelming majority, receiving 162 out of 176 electoral votes. George Clinton, of New York, was elected Vice-President. The federalists' candidates were Charles C. Pinkney, of South Carolina, and Rufus King, of New York. They carried only Connecticut and Delaware, with two electors in Maryland.

Congress met November 5, 1804. The trial of Judge **Eighth Congress,** } Chase by the Senate, on articles of im-  
**Second Session.** } peachment prepared by the House at the  
 last session, mainly took up the time of this session. The  
 trial became a party struggle, the federalists defending Chase  
 and the republicans determined to convict him. He was  
 finally acquitted.

Congress met December 2, 1805, the republicans having a  
**Ninth Congress,** } large majority in both houses. The name  
**First Session.** } "democrat," which had been encroaching  
 for some time on that of "republican," now became fully  
 substituted for it. Owing to the Napoleonic wars, Ameri-  
 can commerce was suffering greatly. "Great Britain and  
 France were using every expedient to cripple each other, with-  
 out regard to the rights of neutral nations." The President,  
 not wishing to increase the expenses of the government by  
 building a navy to defend our commerce, "recommended to  
 Congress a plan for building a number of gun-boats as more  
 economical than ships of war." This plan was adopted by  
 Congress, and became known, by way of ridicule, as the "gun-  
 boat system." During this session the President made an  
 effort to get Congress to place at his disposal the sum of two  
 millions of dollars in order to adjust the Spanish difficulties,  
 upon which Mr. Randolph, of Virginia, broke fellowship with  
 the administration and united his influence with the federal-  
 ists. The Randolph faction were called "Quids." An act was  
 passed by this Congress prohibiting the importation of Eng-  
 lish goods after November 15. This was done by way of  
*retaliation upon England.* A bill was also passed providing  
 for the construction of a *national road* from Maryland to  
 Ohio. Congress adjourned April 21, 1806.

Congress met December 1, 1806. In his message to this  
**Ninth Congress,** } Congress the President recommended cer-  
**Second Session.** } tain amendments to the constitution, giving

Congress power to make internal improvements, such as roads and canals, and also to support education. No action was taken, however. The President, about this time, rejected, without laying it before the Senate, a treaty with England, which had been arranged in December, 1806. He did so on the ground that it contained no provision against the impressment of American seamen and the searching of American ships by England. In his action he was supported by the republicans and opposed by the federalists, who, owing to their great commercial interests, were willing to accept almost any treaty with England. "The rejection of this treaty embittered English feeling against the United States, and was probably a leading cause of the renewed English aggressions, the embargo, and the war of 1812."

#### THE EMBARGO.

An early session of Congress was called by the President, **Tenth Congress,** } which convened October 26, 1807, the re-  
**First Session.** } publicans being largely in the majority.  
England forbade all trade with the French and their allies, and Napoleon, in retaliation, issued the Milan decree, by which all commerce with England and her colonies was prohibited. These measures violated the neutral rights of the United States, and proved destructive to their commerce. "American seamen were impressed by British cruisers and compelled to serve in a foreign navy." More moderate diplomacy having failed, the President, on the 18th of December, recommended an embargo. After three days' advisement, with closed doors, Congress passed the embargo act December 21, 1807. The commercial states quietly received the law, resting under the delusion that the disturbance of commercial relations with a foreign power was a sure means against injuries which the nation might attempt to inflict. It soon became apparent that the promised effects were not and

could not be produced. The failure of the act to produce the desired results threw the dominant party on the defense, and there ensued a very sharp and threatening contest, which told somewhat against the administration. This stroke of foreign policy was resorted to by the administration because, as it claimed, "its only choice lay between the embargo and war, and war should be avoided as long as possible." The republicans urged, in defense of the act, that it was the only way in which the United States could obtain redress from England and France. Both countries had injured the United States in the same way, and to obtain redress by warlike measures would involve the United States in a war with both. This, it was claimed, was something for which the country was not prepared. The federalists charged that the government by this act had done great violence to the commercial interests of the country; that being unlimited as to time, the act was unconstitutional; that it helped France against England, and was so intended. "The old shibboleth of the French and English factions was bandied about once more, and was taken up with eagerness." The people began more and more to feel that all interests had suffered from the embargo, and as a consequence public opinion turned against it, while on the eastern coast of Canada the law met with open resistance. In January, 1809, the inefficiency of the embargo having been ascertained, the administration avowed a change of front, and resolved to resume and defend the navigation of the high seas against any nation having in force decrees violating the neutral rights of the United States. Congress provided for the repeal of the law on the 18th of March. Had the federalists included in their ranks any strong leaders, to have utilized the dissension of feeling from the republican position on the embargo act, these discussions would have greatly strengthened their ranks; but without any central idea as a party, they made it a point to

oppose the administration, even when it involved the most obvious inconsistencies in their own party doctrines. Congress adjourned April 25, 1808.

#### ELECTION OF 1808.

President Jefferson, following the example of Washington, declined a second re-election. The republicans were divided as to who should be his successor. The party split into two factions, and one caucus nominated James Madison, while the other nominated James Monroe. Charles C. Pinkney and Rufus King were the federal candidates. The republicans were threatened more by their own dissensions than by federal opposition. Seventeen congressmen formally protested against the election of James Madison, and proclaimed his unfitness for the presidency. The embargo, during the canvass, operated in the interests of the federalists, but the dominant party was too strong to be overthrown. Madison was elected by a large majority.

#### THE NON-INTERCOURSE ACT.

Congress met November 7, 1808. The session was taken **Tenth Congress,** } up with "resolutions and protests against  
**Second Session.** } French and English aggressions, and the  
rejection of federalist resolutions to repeal the embargo until  
February, 1809." The sentiment against the embargo had  
become so strong by this time that the more moderate of both  
parties agreed upon the non-intercourse act, by which com-  
mercial intercourse with England and France was prohibited  
until the "orders in council" and the "decrees" should be  
repealed. Congress adjourned March 3, and on March 4  
Madison and Clinton were sworn into office. During Jeffer-  
son's first term Ohio was admitted into the Union, Novem-  
ber 29, 1802.

## REPUBLICANISM TESTED.

When a party comes into power it most generally assumes and maintains a higher and more consistent line of action than when it is in the minority. This is accounted for, in the first place, because the actual possession and management of the various departments of government enable it to understand better the true policy in any given case; and, in the second place, a sense of increased responsibility is felt, for not only are the leaders of the successful party amenable to the people for the present administration of affairs, but also the tenure of ascendancy is dependent on a wise and just management of the government. Jefferson gave the country a very just administration. His course was consistent; his duties were faithfully performed; and, in the main, his administration was promotive of the varied interests of the country. Republicanism, just as federalism had been, was sounder and safer in power than out of it.

## POLITICAL PARTIES DURING JEFFERSON'S ADMINISTRATIONS.

The democratic-republican and the federal party were the only national political organizations during Jefferson's administrations. At the election of 1800 the federal party was defeated and the opposing party passed into power. The latter, having obtained possession of the government, showed a constant disposition to exercise powers of the national government which it had denied during the period of federal supremacy. This tendency continued into the administration of Jefferson's successor. So overwhelming was the success of the party, that in some states divisions began to appear in republican ranks. In New York the Clintons and Livingstons united against Burr and drove him from the fold of the regular party; in Pennsylvania and Virginia radical republicans appeared in the interests of limiting the terms of office of the



judiciary, an object deemed highly revolutionary by federalists and conservative republicans of that period. The party determined upon the rapid payment of the national debt, and in accomplishing this object neglected to put the country in a state of defense against British attacks upon its commerce. It adopted the policy of building small gun-boats for coast defense, instead of a powerful navy, which was necessary to defend American commerce all over the world, thus committing the party to the position that ocean commerce should receive no protection at the hands of agricultural representatives. In accordance with this position, it commanded, by act of Congress, that American commerce "should quit the ocean altogether, and thus relieve the dominant party from anxiety or responsibility on its account." This was effected through the embargo act, and, opposing the interests of the middle states, would have overthrown the party, had it not been for the growth of the agricultural portions of those states. The federal party, unable to reap advantages from republican dissensions, continued in the minority, losing ground during Jefferson's first term of service. (Plate VI.)

#### NAME "REPUBLICAN" GROWS INTO DISUSE.

The republicans, during the ninth Congress, dropped their name and accepted that of "democrats." This is the term by which they were stigmatized by their opponents prior to the election of 1800; but after experiencing success, "they accepted the epithet and sought to turn it to the best advantage." The name "republican" gradually grew into disuse till a later period, when it was adopted as a fitting designation for the opponents of democracy.

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EXECUTIVE OFFICERS OF JEFFERSON'S ADMINISTRATIONS.

Thomas Jefferson .....	President .....	1801-1809.
Aaron Burr.....	Vice-President .....	1801-1805.
George Clinton.....	“ “ .....	1805-1809.

CABINET.

James Madison .....	Secretary of State.....	1801-1809.
Samuel Dexter.....	Secretary of the Treasury .....	1801-1801.
Albert Gallatin .....	“ “ “ .....	1801-1814.
Henry Dearborn .....	Secretary of War .....	1801-1809.
Benjamin Stoddart.....	Secretary of the Navy.....	1798-1801.
Robert Smith.....	“ “ “ .....	1801-1805.
Jacob Crowninshield .....	“ “ “ .....	1805-1809.
Joseph Habersham.....	Postmaster-General .....	1795-1801.
Gideon Granger.....	“ “ .....	1801-1814.
Theophilus Parsons.....	Attorney-General .....	1801-1801.
Levi Lincoln .....	“ “ .....	1801-1805.
Robert Smith .....	“ “ .....	1805-1805.

John Breckenridge.....Attorney-General.....1805-1807  
Cæsar A. Rodney.....“ “ .....1807-1811.

## LEGISLATIVE OFFICERS.

Nathaniel Macom.....Speaker of the House .....1801-1807  
Joseph Varnum.....“ “ .....1807-1811.

## JUDICIAL OFFICERS.

John Marshall.....Chief Justice.....1801-1835.

## CHAPTER VIII.

### MADISON'S ADMINISTRATIONS.

1809—1817.

#### THE PRESIDENT'S POLICY.

Madison accepted the policy of Jefferson with reference to foreign and general affairs. His inaugural address contained no new enunciation of principles, but repeated, in substance, those of his predecessor, with such additions as the exigencies of the times demanded.

#### DIPLOMACY.

When the new administration was launched the aspect of **Eleventh Congress,** } European events was very threatening.  
**Extra Session.** } Our foreign relations had grown so complicated that an adjustment seemed impossible without an appeal to war. The controversy with England was still pending. Madison was a man moderate in his thought and judgment, and naturally inclined to a middle course of action. The country was sharply divided, however, on the war question, and it was difficult for him to act, with the consent of his own judgment, in full accordance with the demands of either side. He desired to avert war, as long as possible, by means of diplomacy. England and France were still belligerent, and still disregarding the rights of neutrals. The former adhered to her "orders in council" and insisted that "a man once a subject was always a subject;" the latter had authorized the seizure and confiscation of American vessels which should enter the ports of France. A short suspense was effected through certain proposals of the British minister, Mr. Erskine, who informed the President, shortly after his inauguration, that he was authorized by his government to withdraw the objectionable "orders in council." In this he

transcended his powers, and in consequence was afterwards recalled. But, on the strength of his proposal, the President summoned a special session of Congress, to meet May 22, 1809, and suspend the Non-Intercourse act, in so far as it affected England, after June 10. Congress assembled on the day appointed, but in the meantime the British government, having disowned her minister's offer, the President restored by proclamation the Non-Intercourse act, and Congress, having no business to occupy it, adjourned June 28. At the expiration of the Non-Intercourse act, May, 1810, Mr. Madison "caused proposals to be made to both belligerents, that if either would revoke its hostile edict, this law should only be revived and enforced against the other nation. England rejected the proposal, but France, in a sort of dubious way, accepted it and received the benefit of its execution.

Congress met November 27, 1809. The republican majority was very large. Few matters of general interest came up. A continuance of the non-intercourse act was voted; also a resolution requesting the President to recognize no longer the British minister, Mr. Erskine's successor, because of his having "frequently and offensively" contradicted the secretary of state. Congress adjourned May 1, 1810.

#### ATTEMPT TO RE-CHARTER THE NATIONAL BANK.

Congress met December 3, 1810. The question of great-est interest during this session was that of re-chartering the national bank. The old charter would expire on the 4th day of March, 1811. Mr. Gallatin, secretary of the treasury, on the 2d of March, 1809, had submitted a report favorable to the bank. Nothing further than this had been done. When the resolution to re-charter came up in Congress, the same opposition was manifested on the part of the "strict constructionists" as

was seen in the case of the original charter. The federalists advocated the measure, and a sufficient number of republicans sided with them to make it a very close vote. The resolution was defeated in the House by a majority of one, and in the Senate by the casting vote of the Vice-President. The bank, at the expiration of its charter, was therefore discontinued. Congress adjourned March 3, 1811.

#### THIRD EMBARGO.

Congress met November 4, 1811. The republican majority was still very great, but there was manifestly a breach in the party, growing wider every day, on the question of war. A number of young and aspiring members had recently entered Congress, who unitedly urged upon the party the necessity of a *change of policy*. Among these were Henry Clay and John C. Calhoun. Jefferson and Madison had made it a peace party. Since 1803 over 900 American merchant vessels had been captured, and other outrages perpetrated against the rights of the American government as a neutral power. These outrages were held up before the country as a just cause of war. The leaders of the war party gave Madison to understand that his nomination for a second term depended upon his falling in line with them and adopting a war policy. In case he refused to do this another man would be nominated in his stead. Madison yielded to the pressure and reluctantly advised Congress to prepare for hostilities. As a preliminary, the President, in April, 1812, recommended an embargo for sixty days; Congress passed a bill to that effect, but extended the time to ninety days.

#### DECLARATION OF WAR.

The war of 1812 was declared and supported by the republicans, and for the measure they were held responsible. On the first of June the President, in his message to Congress,

declared that our flag was continually violated on the high seas; that the right of searching American vessels for British seamen was claimed and practiced; that thousands of American citizens had been dragged on board of foreign ships and exiled to distant climes; that remonstrances were disregarded; that a peaceful adjustment was refused; that American blood had been shed, and that the British ministry had been intriguing for a dismemberment of the Union. This message was referred to a committee, who reported in favor of a declaration of war. Deliberations were carried on with closed doors, and hurried through so rapidly that the minority were cut off from debate. Congress passed an act, which the President signed on the 18th of June, declaring that a "*state of war* existed between the United Kingdom of Great Britain and Ireland and the United States of America." The war was not at first, if indeed it became at all, a national one. It was principally supported by the south and west, while in New England it met with strong opposition. The administration party branded the leaders of the minority as Jacobins, enemies of republics, and monarchists, designing the subversion of the Union. In December, 1813, the President recommended greater restrictions on importations. Congress, accordingly, in secret session, passed a bill imposing great "restrictions on commerce on inland waters." Congress adjourned July 6, 1812.

#### ELECTION OF 1812.

As the time approached for nominating candidates for the two highest offices in the government, the republican party found itself hopelessly divided. The war party, headed by Clay and Calhoun, fixed naturally upon Madison, he having acceded to the war policy. Accordingly, on the 8th of May, a congressional caucus was held, at which he was nominated. In the south and west the nomination met with great favor.

Quite a strenuous opposition, however, was developed in the north, headed by the New York legislature. The grounds of opposition were, first, against the caucus system, because by it the people were not consulted in selecting candidates; secondly, they objected to Virginia monopolizing the administration of the country; and, thirdly, against the foreign policy of the President. They nominated DeWitt Clinton for President, and Jared Ingersoll for Vice-President. The supporters of this ticket were called *Clintonians*. (Plate VI.) Notwithstanding an exciting and animated contest in the eastern and middle states, Madison was re-elected by a good majority, and Gerry was chosen Vice-President.

#### FEDERAL OPPOSITION TO THE WAR.

The declaration of war was a surprise to the people. Thirty-four federal representatives protested vigorously, in an address to their constituents, both against the war and the way in which it had been declared. They had been refused the privilege of public debates, and would have no share in the evils which should grow out of the war. The President made requisitions upon the governors of the different states to furnish militia for the war. This, Connecticut and Massachusetts refused to do, on the ground that it would be unconstitutional for the federal government to call out the militia until invasion had taken place or the laws of the United States been actually resisted. Massachusetts voted two memorials to Congress protesting against the war and praying for peace. In February, 1814, a committee of the general assembly of this state presented the following report on numerous petitions which had been sent to the legislature: "A power to regulate commerce is abused, when employed to destroy it; and a manifest and voluntary abuse of power sanctions the spirit of resistance as much as a direct and palpable



usurpation. The sovereignty reserved to the states was reserved to protect the citizens from acts of violence by the United States as well as for the purpose of domestic regulation. We spurn the idea that the free, sovereign, and independent state of Massachusetts is reduced to a mere municipal corporation, without power to protect its people and defend them from oppression, from whatever quarter it comes. When the national compact is violated and the citizens of the state are oppressed by cruel and unauthorized law, this legislature is bound to interpose its power and wrest from the oppressor his victim." As will be observed, this report embodied the same political doctrines as the Virginia and Kentucky resolutions of 1798. With regard to the question of state sovereignty, the parties had become reversed. The federalists, who, under Adams' administration, condemned the doctrine as treasonable, now became its advocates; while the republicans, who had first proclaimed this doctrine, now disowned and denounced it.

#### THE PEACE PARTY.

The peace party was composed of republicans and federalists who opposed the war. The union was formed, professedly, for the purpose of inculcating the benign doctrines of peace, but its ulterior purpose was to oppose the war and "array the religious sentiment of the country against the administration." "The Washington Benevolent Society" was established, having similar objects in view. (Plate VI.)

Congress met November 2, 1812. The navy having made **Twelfth Congress,** } some brilliant exploits, and, to the surprise of the country, shown itself able to cope with England, the strongest naval power, as was supposed, in the world, both parties in Congress united in "rewarding, encouraging, and increasing it." The session was mainly occupied with measures for the prosecution of the war.

Congress adjourned March 3, 1813, and on March 4, Madison and Gerry took the oath of office.

During Madison's first administration Louisiana was admitted into the Union, April 30, 1812.

The President called a special session of Congress, to meet **Thirteenth Congress,** } May 24, 1813, to consider financial  
**Extra Session.** } matters in connection with the prosecution of the war.

The war seemed to grow more and more unpopular in the eastern states, insomuch that England "exempted Massachusetts, Rhode Island, and New Hampshire from the blockade of the Atlantic coast." Congress adjourned August 2.

Congress met December 6, 1813. The work this session **Thirteenth Congress,** } was largely a continuation of the ef-  
**First Session.** } forts to improve the financial condition of the country. Owing to the extent to which illicit trade was carried on from the New England coast to the English ships, Congress passed a *New Embargo Act*, applying to all vessels, both large and small. Congress adjourned April 18, 1814. During this year, in the month of August, the City of Washington was sacked and burned by an English expedition, and the President himself came very near being captured.

#### THE HARTFORD CONVENTION.

Congress met Sept. 19, 1814. During the latter part of **Thirteenth Congress,** } the summer negotiations for peace had  
**Second Session.** } been begun. Owing to the turn of affairs in Europe, notably the temporary overthrow of Napoleon, the American government was very anxious for peace with England. The English, in turn, seeing the anxiety of our government, were more persistent in making demands unacceptable to Congress and the country. The war spirit became again aroused among the republicans, and measures were meditated for the support of the war far in advance of

anything that had yet emanated from that party. For instance, it was proposed to resort to a draft or conscription for the increase of the army, and to the English system of impressment of seamen for the strengthening of the navy. These measures, however, were in advance of the strict constructionist principle of the rank and file of the party, and hence were unpopular. The New England states felt that they had been especially grieved and wronged by the war policy of the administration. In October the Massachusetts legislature invited the other states to send delegates to Hartford, Connecticut, "to confer upon the subject of their public grievances." This was the celebrated Hartford Convention. They deliberated three weeks with closed doors, and prepared an address in which they expressed themselves in regard to the condition of the country and the policy of the administration. They adopted four resolutions, sent out with the address, among other things calling for the adoption of the following amendments to the constitution :

1. "Excluding slaves from the basis on which representatives and direct taxes are apportioned."

2. "Requiring, in the admissions of new states, the concurrence of two-thirds of both Houses."

3. "Prohibiting Congress from laying an embargo for more than sixty days."

4. "Prohibiting Congress from interdicting commercial intercourse with foreign nations, without the concurrence of two-thirds of both Houses."

5. "Requiring the concurrence of two-thirds to declare war or authorize acts of hostility against any foreign nation, except in defense and in cases of actual invasion."

6. "Making ineligible to any civil office under the general government, any person hereafter naturalized."

7. "The President to be eligible only for a single term ;

and not to be chosen two terms in succession from the same state."

The object of the convention was thought by many to be treasonable, but the immediate change in our foreign relations prevented a disclosure of its ulterior purposes.

#### PEACE DECLARED.

There was hardly a time during the war that negotiations of some sort were not in progress looking towards peace. In 1813 the Emperor of Russia offered his mediation between the hostile governments. It was accepted by the United States, but declined by England; the latter proposed, however, to treat directly with our government. This met with the approbation of the administration, and a treaty of peace was signed at Ghent, in Belgium, December 24, 1814. In February, 1815, the glad news reached Congress. The remainder of the session was spent in the "active reduction of the government to a peace establishment." All the war measures were repealed. Congress adjourned March 3, 1815.

#### DEATH OF THE FEDERAL PARTY.

The return of peace brought a return of prosperity. The sufferings of the war were soon forgotten, and the federalists, who opposed the war, were now reproached more bitterly than ever for their reluctance to aid the Union in time of need. In addition to that, leaders of the party had brought special odium upon themselves by their participation in the Hartford convention. The guilt attached to a connection with this convention isolated the leaders more and more, while their followers rapidly joined the opposing ranks. This marks the extinction of the federal party. The party had done great service to the cause of the Union in its earlier days, when Alexander Hamilton was at its head; but being finally thrown out of power it became a mere op-

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position party, and lost, in great measure, its dignity and character as the stay and support of strong government.

#### NATIONAL BANK.

Congress met December 4, 1815. Henry Clay was again **Fourteenth Congress,** } chosen Speaker of the House. The **First Session.** } session was mainly devoted to the regulation of internal affairs. In April, 1816, Congress passed a bill for the charter of a national bank. The charter was to last till 1836. It was modeled after the one established 1791. Hamilton's arguments for such a bank were now published, and approved by the republicans with great enthusiasm. The federals opposed this bank. On this question, as on some others, the parties had changed sides since 1811.

#### PROTECTIVE TARIFF.

The seventh annual message of the President called the attention of Congress to the expediency of a revision of the tariff, giving reasons why home industry should be protected. Hitherto the tariff question had been one of only secondary importance; now, in view of the development of the manufacturing and cotton-growing interests, it had become a matter of primary consideration. The first bill was brought before this Congress, being favored by Clay, Calhoun and other republican leaders, and opposed by Webster, aided by Randolph. The parties, it will be observed, had changed sides on this question since the days of Hamilton, the republicans now supporting and the federals opposing it. As modified before its final passage, imported articles were arranged under three heads: 1st. "Those of which a full domestic supply could be produced;" 2d. "those of which only a partial domestic supply could be afforded;" and 3d. "those produced at home very slightly or not at all." On the first class the duty was laid heavy enough to keep out

foreign competition entirely; on the second class, a duty of twenty per cent. was laid, which would, of course, let in foreign competition, but would, at the same time, give home labor a chance to rival it; on the third class, the duties were "adjusted more with reference to revenue than tariff."

## ELECTION OF 1816.

In the month of March a republican caucus, after making two unsuccessful attempts to pass a resolution declaring caucus nominations by members of congress to be inexpedient, nominated James Monroe for President, and Daniel D. Tompkins, of New York, for Vice-President. By this time some of the republicans thought the "Virginia Dynasty" had ruled long enough, having furnished presidents twenty-four years out of twenty-eight. The federalists voted for Rufus King for President, but united on no one for the second place. Monroe and Tompkins were overwhelmingly elected.

Congress met December 2, 1816. The session was without **Fourteenth Congress,** } any special interest. It adjourned on **Second Session.** } March 3, 1817, and on March 4, Monroe and Tompkins took the oath of office. During Madison's second term Indiana was admitted into the Union, December 11, 1816.

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#### EXECUTIVE OFFICERS OF MADISON'S ADMINISTRATIONS.

James Madison.....	President.....	1809-1817
George Clinton.....	Vice-President.....	1805-1812
Elbridge Gerry.....	" ".....	1813-1814
John Gaillard.....	" ".....	1814-1817

#### CABINET.

Robert Smith.....	Secretary of State.....	1809-1811
James Monroe.....	" ".....	1811-1817
Albert Gallatin.....	Secretary of Treasury.....	1801-1814
G. W. Campbell.....	" " ".....	1814-1814
Alexander J. Dallas.....	" " ".....	1814-1816
William Eustis.....	Secretary of War.....	1809-1813
John Armstrong.....	" ".....	1813-1814
James Monroe.....	" ".....	1814-1815
William H. Crawford.....	" ".....	1815-1817
Paul Hamilton.....	Secretary of Navy.....	1809-1813
William Jones.....	" ".....	1813-1814
Benjamin W. Crowninshield.....	" ".....	1814-1818
Gideon Granger.....	Postmaster-General.....	1801-1814
R. J. Meigs.....	" ".....	1814-1823
Cæsar A. Rodney.....	Attorney-General.....	1807-1811
William Pinckney.....	" ".....	1811-1814
Richard Rush.....	" ".....	1814-1817

#### JUDICIAL OFFICERS.

John Marshall.....	Chief Justice.....	1801-1835
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## LEGISLATIVE OFFICERS.

Joseph B. Varnum.....	Speaker of House.....	1807-1811
Henry Clay.....	“ “ .....	1811-1814
Langdon Cheves.....	“ “ .....	1814-1815
Henry Clay.....	“ “ .....	1815-1820

RESOLUTIONS PASSED BY THE HARTFORD CONVENTION,  
JANUARY 4, 1815.

*Resolved*, That it be and is hereby recommended to the legislatures of the several states represented in this convention, to adopt all such measures as may be necessary effectually to protect the citizens of said states from the operation and effects of all acts which have been or may be passed by the Congress of the United States, which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions, or impressments not authorized by the constitution of the United States.

*Resolved*, That it be and is hereby recommended to the said legislatures, to authorize an immediate and an earnest application to be made to the government of the United States, requesting their consent to some arrangement whereby the said states may, separately or in concert, be empowered to assume upon themselves the defense of their territory against the enemy, and a reasonable portion of the taxes collected within said states may be paid into the respective treasuries thereof, and appropriated to the balance due said states and to the future defense of the same. The amount so paid into said treasuries to be credited, and the disbursements made as aforesaid to be charged to the United States.

*Resolved*, That it be and hereby is recommended to the legislatures of the aforesaid states, to pass laws, where it has not already been done, authorizing the governors or commanders-in-chief of their militia to make detachments from the same, or to form voluntary corps, as shall be most convenient and conformable to their constitutions, and to cause the same to be well armed, equipped, and held in readiness for service, and upon request of the governor of either of the other states, to employ the whole of such detachment or corps, as well as the regular forces of the state, or such part thereof as may be required, and can be spared consistently with the safety of the state, in assisting the state making such request to repel any invasion thereof which shall be made or attempted by the public enemy.

*Resolved*, That the following amendments of the constitution of the United States be recommended to the states represented as aforesaid, to be proposed by them for adoption by the state legislatures, and in such cases as may be deemed expedient by a convention chosen by the people of each



state. And it is further recommended that the said states shall persevere in their efforts to obtain such amendments, until the same shall be effected.

*First.* Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers of free persons, including those bound to serve for a term of years, and excluding Indians not taxed, and all other persons.

*Second.* No new state shall be admitted into the Union by Congress, in virtue of the power granted in the constitution, without the concurrence of two-thirds of both houses.

*Third.* Congress shall not have power to lay an embargo on the ships or vessels of the citizens of the United States, in the ports or harbors thereof, for more than sixty days.

*Fourth.* Congress shall not have power, without the concurrence of two-thirds of both houses, to interdict the commercial intercourse between the United States and any foreign nation or the dependencies thereof.

*Fifth.* Congress shall not make nor declare war, nor authorize acts of hostility against any foreign nation, without the concurrence of two-thirds of both houses, except such acts of hostility be in defense of the territories of the United States when actually invaded.

*Sixth.* No person who shall hereafter be naturalized shall be eligible as a member of the Senate or House of Representatives of the United States, or capable of holding any civil office under the authority of the United States.

*Seventh.* The same person shall not be elected President of the United States a second time, nor shall the President be elected from the same state two terms in succession.

*Resolved,* That if the application of these states to the government of the United States, recommended in a foregoing resolution, should be unsuccessful, and peace should not be concluded, and the defense of these states should be neglected, as it has been since the commencement of the war, it will, in the opinion of this convention, be expedient for the legislatures of the several states to appoint delegates to another convention, to meet at Boston, in the state of Massachusetts, on the third Monday of June next, with such powers and instructions as the exigency of a crisis so momentous may require.

*Resolved,* That the Honorable George Cabot, the Honorable Chauncey Goodrich, the Honorable Daniel Lyman, or any two of them, be authorized to call another meeting of this convention, to be holden in Boston at any time before new delegates shall be chosen as recommended in the above resolution, if in their judgment the situation of the country shall urgently require it.

## CHAPTER IX.

## MONROE'S ADMINISTRATIONS.

1817—1825.

## ERA OF GOOD FEELING.

Monroe came into the Presidency upon a high tide of political prosperity and unity. The old controversies between the parties were no longer waged, and the country was evidently approaching an epoch marked by the absence of party and factional strifes. The President adopted the doctrine of the new school of republicans, led by Clay and Calhoun, which had the effect of allying more closely to him the old federal element. All other factions acquiesced in the result of the previous election, and from them all, the administration drew many warm supporters. Party differences subsided, and a calm serenity seemed to pervade the whole country. The summer after his inauguration the President made a tour of the states, and was everywhere received with hearty greetings. This visit tended to strengthen the new administration in the hearts of the people, and gave to the President great personal popularity. From these manifestations and the general prevalence of harmony everywhere, it was announced that the Era of Good Feeling had begun; and while this designation is given to the whole of Monroe's administration, it more properly belongs to his second term.

## JACKSON'S ADVICE.

General Jackson, gratified at the auspicious circumstances attending Mr. Monroe, advised him as follows:

"Now is the time to exterminate that monster called party

spirit. By selecting [for cabinet officers] characters most conspicuous for their probity, virtue, capacity, and firmness, without regard to party, you will go far to, if not entirely, eradicate those feelings which, on former occasions, threw so many obstacles in the way of government. The chief magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested; always bearing in mind that he acts for the whole and not a part of the community."

These suggestions accorded, in the main, with the feelings of the President. He believed that the government could exist without parties, and that circumstances were then very favorable for him to promote this idea. Nevertheless, he did not think it advisable to go outside of his party for cabinet officers, lest he might give offense to the republicans and encourage a reorganization of the federals. His idea was to bring them all into the republican fold. He selected all the members of his cabinet from the republicans.

#### INTERNAL IMPROVEMENTS.

Congress met December 1, 1817. An act was immediately **Fifteenth Congress,** } passed abolishing the internal taxes  
**First Session.** } which had been laid during the war.  
The President, in his message to Congress, had dwelt at great length upon the matter of internal improvements. This subject, from the very first, had occupied an important place in the public mind. From time to time the executive veto of bills pertaining to this system of improvements had interrupted the continuity of the same; but, as the people began to see the importance of developing the resources of the country, they urged the more strongly upon Congress the propriety of going to the full extent of their powers in this direction. The President thought that the government should encourage the system, but seriously questioned whether Con-

gress had the right, by the constitution, to pass measures supporting it. During this session many earnest discussions were had upon the subject. Henry Clay headed a majority of the republicans in favor of Congress making internal improvements, but, learning that the President would veto any bill in favor of such improvements, the subject was dismissed without further consideration until the next session, when it was renewed under the pressure of petitions from several states. A bill for the repair and preservation of the Cumberland road was vetoed by the President for the reason above stated. During this session Henry Clay offered a resolution looking to the reorganization of the South American republics, formed by colonies that had revolted from Spain, but it was rejected. Congress adjourned April 20, 1818.

#### THE FLORIDA CESSION.

Congress met November 16, 1818. During the summer Fifteenth Congress, } previous, occurred what is called the Second Session. } Seminole war—a number of disturbances caused by Indians in Florida. Andrew Jackson in attempting to quell them met with opposition from the Spanish authorities of Florida. “He therefore entered their territory, seized their principal towns, and captured and put to death, ‘as outlaws and pirates,’ Arbuthnot and Ambrister, two British subjects, who had led the Seminoles to war.” Much of the time of this session was taken up in the investigation of these Indian difficulties. The committee on military affairs offered a resolution censuring Jackson for his execution of Arbuthnot and Ambrister, but it did not pass. In 1819, a treaty was concluded by which the United States bought Florida of Spain, paying \$5,000,000 and releasing the federal claim to Texas. Although there was no opposition to the purchase of Florida, it was claimed that in making this acquisition we had given away Texas and, by so doing, had

dismembered the Mississippi valley ; that the establishment of boundaries would be a constant source of controversy and perhaps war. The treaty was ratified by the Senate, and met with the general approbation of the people.

#### THE MISSOURI QUESTION.

During this session a memorial from the legislature of Missouri was introduced by Mr. Scott, a delegate to Congress from that territory, to the effect that Missouri be allowed to form a state government, and be admitted into the Union. This, with a bill complying with the memorial, was referred to the committee of the whole on the state of the Union.

When the bill came up before the House, Gen. Tallmadge moved the following proviso: "And provided, that the further introduction of slavery or involuntary servitude be prohibited, except for the punishment of crimes whereof the party shall have been duly convicted; and that all children born within the said state, after the admission thereof into the Union, shall be free at the age of twenty-five years." This marks the beginning of the famous struggle between the free and slave states, and was one of the most difficult constitutional questions the country has ever been called upon to settle. In the debate which followed, those opposing the proviso argued that Congress had no constitutional right to impose restrictions as to slavery upon a state wishing admittance into the Union; that the right to hold slaves was guaranteed to the original states by the constitution, and that the right applied to the new states as well as to the old. It was admitted that Congress had power to regulate or prohibit slavery from the territories as well as make all other needful rules and regulations respecting them; but this right related to the territories only as property; that when organized as states they stood on an equal footing with other states, and Congress had no power to impose restrictions on their local legislation.

Those opposed to slavery argued that the term "forever," in the prohibitive clause of the Missouri bill, was not restricted to the territorial condition of the district to which it referred, but meant forever, and that the prohibition, "instead of ceasing with the territorial condition of the district, would extend to any states that might be erected out of it; and upon the question in general, it was maintained that to leave slavery in the old states was a violation of principle, and to permit it in new ones was a violation of the constitution." The bill, as restricted, passed the House but failed in the Senate. Congress adjourned March 3, 1819.

Congress met December 6, 1819. At this session **Mis-**  
**Sixteenth Congress,** } **souri** renewed her application, and the  
**First Session.** } question of slavery immediately stood  
in the foreground. This time the opponents of the proviso found themselves "materially aided by a new circumstance." Maine, hitherto a district of Massachusetts, made application for admission as a state. The Maine bill was passed by the House. The Senate, having previously united it to the Missouri bill, permitting slavery, passed them both. This was done for the purpose of forcing both bills to stand or fall together. Upon their return to the House the combined bills were rejected. Failing then to agree, a joint committee was appointed from both Houses, which prepared a report to the effect that Missouri should be admitted as a slave state, and that slavery should be prohibited from all territory north of 36° 30', and west of the Mississippi. This report was accepted, and a measure embodying its suggestions passed both Houses in March, 1820, known ever since as the Missouri Compromise. Congress adjourned May 15, 1820.

#### ELECTION OF 1820.

As the time of another Presidential election approached, the usual call for a republican nominating caucus was pub-

lished, but, owing to the meager attendance of representatives, and the general opposition to caucuses, the assembly adjourned *sine die*. Such a convention was unnecessary, however, as "the people had preordained that Monroe and Tompkins were to be elected." Mr. Monroe received all the electoral votes but one, and Mr. Tompkins a very large majority. The federalists, owing to their disorganized condition, presented no candidates.

#### REPUBLICANS UNOPPOSED.

With Monroe's first term closes the second era in our political history. Old party distinctions were obliterated and opinions on new issues were in a formative condition. The federal party had ceased to be a national party or to advocate any distinct issues of its own. From this time forward federalism was not an element in politics. (Plate VI.)

Congress met November 13, 1820. John W. Taylor, a **Sixteenth Congress,** } loose constructionist, an advocate of a **Second Session.** } protective tariff and an internal improvement system, and opposed to the extension of slavery, was selected as speaker. His election is a matter of interest as showing how far these ideas had gained an influence in the republican ranks, or at least a faction of them. His election gave great offense to the southern members. The last struggle on the Missouri question came up during this session, when the state submitted its constitution to Congress for approval. It was rejected because of a clause which it contained, forbidding "free negroes and mulattoes from coming to and settling in this state, under any pretext whatever." Congress required that this be so changed as to "guarantee to the citizens of every other state the same rights in Missouri that they enjoyed at home." In June, 1821, the legislature of Missouri accepted the condition, and it became a state. Congress adjourned March 3, 1821, and on the next Monday,

March 5, Monroe and Tompkins took the oath of office. During Monroe's first administration five states were admitted into the Union, as follows: Mississippi, 1817; Illinois, 1818; Alabama, 1819; Maine, 1820; and Missouri, 1821.

Congress met December 3, 1821. P. P. Barbour, a strict **Seventeenth Congress,** } constructionist, was this time elected **First Session.** } Speaker of the House. A bill for the preservation of the Cumberland road was passed, but the President vetoed it, on the ground that, in his opinion, Congress had no constitutional right to pass such a law. In his message, though, he had urged Congress to pass an amendment to the constitution giving it the power to make internal improvements. Efforts were made this session to increase the tariff, but failed. Congress adjourned May 8, 1822.

Congress met December 2, 1822. A renewed attempt was **Seventeenth Congress,** } made to increase the tariff and create **Second Session.** } a national canal system, but both measures were defeated by the strict constructionists. Congress adjourned March 3, 1823.

Congress met December 1, 1823. Henry Clay, now leader **Eighteenth Congress,** } of the loose constructionists, was **First Session.** } chosen speaker.

#### THE MONROE DOCTRINE.

At this time Spain was waging a war against her revolted colonies, and the President, in his message to Congress, December 2, 1823, affirmed as follows: "We owe it to candor and to the amicable relations existing between the United States and the European powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety." This, with the accompanying reasons for the position taken, was a statement of the doctrine that "America is for



Americans," and exemplified the policy of Washington—"No entangling alliances." The doctrine was called out by an attempt of the holy alliance to check liberty on both sides of the Atlantic, and to extend a fostering care to the revolted Spanish provinces of Central and South America. When the protest of the United States was joined by England the attempt of the alliance was abandoned.

#### PROTECTIVE TARIFF.

Loose constructionist ideas were gradually spreading. Even the President, in his message to this Congress, advocated a more decided leaning toward protection and internal improvements. In every Congress, from 1819 to 1824, bills were introduced for the increase of duties on imports. The tariff of 1816 protected nothing domestic worth speaking of, except coarse cottons. A tariff was now demanded on "such articles of merchandise as come most in competition with American industry." The southern states, though formerly favoring a protective tariff, now voted against it. The navigating and planting states did the same, thinking it would be injurious to their interests; but the grain growing states favored the tariff, in the belief that it would benefit agriculture. After a debate of more than two months Congress adopted the measure known as the Tariff of 1824. This was the all-absorbing question during the session. Clay was the champion of the protective system, and Webster of the opposition. A bill was also passed this session for surveys for a national canal system. Congress adjourned May 27, 1824.

#### ELECTION OF 1824.

The friends of William H. Crawford, of Georgia, made an attempt to revive the caucus system of nominating for the presidency, and announced a caucus for that purpose, which met and put Crawford in nomination. This really injured

his chances for election. There were in the field, besides him, three other candidates—Jackson, Adams, and Clay—nominated by state legislatures and other political machinery. Each candidate was a republican. The canvass was very exciting, but as republicanism was not at issue with any opposing party, the considerations were local and personal rather than political. This quadrangular contest was known as the “scrub race.” “King caucus” was entirely overthrown, but the election did not decide the contest, hence it was thrown into the House.

Congress met December 6, 1824. The great question of the **Eighteenth Congress, } session was the undecided presidential**  
**Second Session. } contest.** The electoral vote, when counted, was found to be, for President, 99 for Andrew Jackson, 84 for John Quincy Adams, 41 for William H. Crawford, and 37 for Henry Clay. For Vice-President, Calhoun was elected, receiving 182 out of 260 votes. The three highest were taken, from which a choice was to be made, leaving Mr. Clay and his friends with the power in their hands to make the decision. His position was a very trying one. With reference to it he said, in a private communication to the Hon. F. Brooke, under date of January 28, 1825: “My position in regard to the presidential contest is highly critical, and such as to leave me no path on which I can move without censure. I have pursued, in regard to it, the rule which I always observe in the discharge of my public duty. I have interrogated my conscience as to what I ought to do, and it tells me I ought to vote for Mr. Adams.” So he did vote for Mr. Adams and elected him to the place. Clay objected to Mr. Crawford on the ground of ill health, and the circumstances under which he was before the House, and to General Jackson on the ground that he was a military chieftain. Congress adjourned March 3, 1825, and on March 4, Adams and Calhoun were sworn into office.

## PEOPLE'S PARTY.

There was a division among the republicans in the state of New York, at the fall election of 1823, upon the choice of electors. Some wished them to be chosen by the state legislature; others, by the people. The latter portion formed a separate political organization, called the "People's Party."

## MONROE'S RETIREMENT.

The retiring President had the satisfaction of having accomplished his cherished object, that of bringing all parties into the republican fold. His foreign policy had been skillfully managed by John Q. Adams; commerce had recovered from its prostration by war and the embargo; the Missouri Compromise had quieted the slavery agitation for the time; domestic industry had revived; and partisan feuds had quieted into a condition of peace and harmony.

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## EXECUTIVE OFFICERS OF MONROE'S ADMINISTRATIONS.

James Monroe.....	President.....	1817-1825
Daniel D. Tompkins.....	Vice-President.....	1817-1825

## CABINET.

John Quincy Adams.....	Secretary of State.....	1817-1825
William H. Crawford.....	Secretary of Treasury.....	1816-1825
George Graham.....	Secretary of War.....	1817-1817
John C. Calhoun.....	" " .....	1817-1825
Benjamin W. Crowninshield.....	Secretary of Navy.....	1814-1818
Smith Thompson.....	" " .....	1818-1823
John Rogers.....	" " .....	1823-1823
Samuel L. Southard.....	" " .....	1823-1829
Return J. Meigs.....	Postmaster-General.....	1814-1823
John McLean.....	" " .....	1823-1829
Richard Rush.....	Attorney-General .....	1814-1817
William Wirt.....	" " .....	1817-1829

## JUDICIAL OFFICERS.

John Marshall.....	Chief Justice.....	1801-1835
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## LEGISLATIVE OFFICERS.

Henry Clay.....	Speaker of House.....	1815-1820
John W. Taylor.....	" " .....	1820-1821
Philip P. Barbour.....	" " .....	1821-1823
Henry Clay.....	" " .....	1823-1825

## CHAPTER X.

## JOHN QUINCY ADAMS' ADMINISTRATION.

1825—1829.

## THE PRESIDENT'S POLICY.

The President, in his inaugural, pledged himself to carry out the policy of his predecessor as indicated in his promises and acts. He stood on more advanced ground than Monroe with reference to internal improvements, not doubting at all that Congress had the right to authorize measures favoring such improvements. In the selection of his cabinet he was inclined to pursue a conciliatory course, offering positions to those who had been his opponents in the last election. Clay and Crawford were offered cabinet positions, but the latter declined.

## OPPOSITION TO THE PRESIDENT.

In this course the President did not meet with the general approval of the country, nor did he succeed in pacifying those on whom his generosity was bestowed. The appointment of Mr. Clay as secretary of state, then considered a stepping-stone to the presidency, was an unfortunate one, from the fact that it confirmed the suspicions of some that there was a bargain between him and the President, by which the latter had gained his high office. Mr. Clay most positively denied it, and there was not the slightest evidence brought forward that such was the case, yet it greatly promoted the interests of the opposition. The friends of Jackson and Crawford in Congress united to embarrass the measures of the President, and offered a most determined opposition to every question upon which the President relied for approval by the people.

## REPUBLICAN PARTY DIVIDED.

At the election of Adams began that disaffection in the republican ranks, which, in a few years, developed into two distinct political parties. In October, 1825, the legislature of Tennessee nominated Jackson for the Presidency in 1828, which he, in turn, accepted. Some of the other states did the same. The friends of Crawford coalesced with those of Jackson, and formed what was at first called the "Jackson party," but, as they became a distinct and national party, the name "democrats" was assumed, by which they have since been known. They were strict constructionists, and the Crawford element even held to the doctrine expressed in the Virginia and Kentucky resolutions of 1798-9. This caused a union of the Clay and Adams factions, who took the party name of "national republicans," which, in a few years afterwards, was changed to whigs. They were loose constructionists in principle, and advocated a protective tariff, and a system of national internal improvements at the government's expense. (Plate VI.)

## THE PANAMA MISSION.

Congress met December 5, 1825. The administration men  
Nineteenth Congress, } were slightly in the majority in the  
First Session.        } House, and somewhat more so in the  
Senate; but the opposition was very strong and determined.  
The session was partly taken up in discussing proposed  
changes in the manner of electing the President. In his  
message to this Congress Mr. Adams alluded to the Holy  
Alliance of the monarchies of Europe, made for the purpose  
of checking the progress of liberty on this side of the Atlan-  
tic as well as on the other, and the counter movement by the  
Spanish American republics, calling a Congress of American  
ministers at Panama, for the purpose of deliberating upon

measures of resistance. This project was supposed to have originated with Gen. Bolivar, at this time the head of the Columbia Republic. An invitation had been extended to the United States to send ambassadors, and the President recommended their appointment at once. The meeting was to be held in June, 1826. A bill was introduced in Congress authorizing the mission, which gave rise to a great deal of intemperate discussion, and so long delayed the appointment of representatives that they failed to reach Panama in time. In this debate, as in almost every other, the slavery question was brought up, and its advocates made the startling claim that slavery in the states was an independent institution, and that its owners were invested with inherent rights. Congress adjourned May 22, 1826.

Congress met December 4, 1826. The two factions were **Nineteenth Congress,** } so evenly balanced in this Congress  
**Second Session.** } that few national measures were passed ;  
the Jackson men were determined to defeat every measure suggested or favored by the President, and the friends of the administration were equally determined to sustain it. A bill for the increase of the tariff was defeated by the Vice-President's casting vote. Congress adjourned March 3, 1827.

#### THE CONTROVERSY WITH GEORGIA.

About this time a controversy with the state of Georgia occurred, with reference to the removal of certain tribes of Creek Indians from that state, and from Alabama, Mississippi, and Tennessee. The principal chiefs had ceded to the United States their lands in Georgia, for which they were to receive in exchange other lands west of the Mississippi, and a money compensation besides ; most of that nation were unwilling to ratify the cession. The government of Georgia insisted that the treaty be carried out, if need be by forcible means ; and the state legislature was convened for the pur-

pose of surveying and appropriating the lands. The President ordered the survey of the lands to be postponed, and communicated that fact to Gov. Troup, of Georgia. The governor replied that it was too late, as the laws of the state had already been extended over the ceded territory, and he would make it his duty to execute them. Thus the state and federal authorities came squarely in conflict with each other. The governor advocated resistance to the general government, and a committee of the state legislature made a report suggesting a Southern Confederacy. The doctrine of nullification thus embodied, had originated with Jefferson and Monroe, in the Kentucky and Virginia resolutions of 1798-9; was proclaimed by the Massachusetts legislature in 1814, but it now appeared in a bolder form than ever before. The President laid the matter before Congress, but they failed to adopt any specific line of action, and left him to pursue his own course regarding the difficulty. A settlement of the question was not reached until the next administration.

#### HIGH TARIFF OF 1828.

Congress met December 3, 1827. The democrats had a **Twentieth Congress, } majority in both Houses. The discus-**  
**First Session. } sions of this session assumed a political**  
 character. The admirers of Jackson proposed to order a painting of the battle of New Orleans, and the opposite side made a counter proposition to investigate his action in having some insubordinate militiamen executed.

The most important subject that came before this session was the revision of the tariff. The protectionists had called a convention, to meet at Harrisburg, Pa., on the 30th of July, 1827, for the purpose of discussing and formally demanding a higher tariff. Many of the democratic congressmen from the north united with them in this demand, while the democrats in the south were for a tariff for revenue only.



The duties, according to the tariff of 1824, were *ad valorem*. Importers would invoice their goods below their real value, and thus defraud the revenue. The debate on this question occupied about six weeks, during which great excitement prevailed, both in and out of Congress. The measure was stoutly denounced by the south, and especially by South Carolina. Her citizens petitioned the state legislature to "save them from the grasp of usurpation and poverty," which such a law would occasion. The measure, known as the *Tariff of 1828*, passed, and had the effect of strengthening very greatly the doctrine of nullification in the south. Many who had formerly opposed a protective tariff now favored it, conspicuous among whom was Daniel Webster, who assigned as a reason for his change, that the protective tariff had then become the established policy of the nation, and harmonized with the interests of the section which he represented. Congress adjourned May 26, 1828.

#### ELECTION OF 1828.

This political canvass may be said to have begun at the election of Mr. Adams by the House of Representatives, and continued during the four years of his administration. Jackson had been nominated by the Tennessee legislature as early as 1825. By 1827, the opposition to President Adams was fully organized, for it was clear that the next presidential contest would be between him and Andrew Jackson. The former had been nominated by the general assembly of Massachusetts. The caucus system had gone into disuse, and national conventions had not yet been invented. The contest was a very long and animated one. The public record of each candidate was overhauled to find, if possible, something derogatory to his character. The prominent charge against Adams was that of a bargain with Clay on the eve of the last election, by which Clay was to make him President and he make Clay

secretary of state. Though this charge was unfounded, yet many were sincere in believing it true. Jackson's mistakes were also brought up and greatly exaggerated before the country. The hero of New Orleans was elected, however, with an overwhelming majority. The vote for President stood as follows: Jackson, 178; Adams, 83. For Vice-President, Calhoun was re-elected, receiving 171 out of 261 votes. The election marks the geographical division of parties; Jackson and Calhoun were from slave-holding states, while Adams and Rush were from free states.

#### THE ANTI-MASONIC PARTY.

The party bearing this designation had its origin in a circumstance which occurred in western New York. William Morgan, a Royal Arch Mason, of Genesee county, prepared and threatened to publish a work disclosing the secrets of Masonry. He was arrested for a debt of two dollars and thrown into jail, from which he was taken by night to Fort Niagara. He remained a short time at this place, and, on the 29th of September, 1826, disappeared, and was never seen afterwards. This created great excitement, for it was claimed that the Masons had put him to death clandestinely. The anti-Masonic party was organized by those who believed that the members of the Masonic fraternity held their civil obligations subordinate to their fraternal obligations, and they therefore deemed them unworthy to hold civil office. The new party found many adherents throughout the state of New York and other states, until, in 1831, they felt justified in making a nomination for President, which they did in the person of William Wirt. (Plate VI.)

Congress met December 1, 1828. In his message the President earnestly advocated protection.  
**Twentieth Congress, } Second Session.** } After a long debate a bill was passed making very large appropriations for internal improvements,

and received the President's sanction. Congress adjourned March 3, 1829, and March 4, Jackson and Calhoun were sworn into office.

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## EXECUTIVE OFFICERS OF JOHN QUINCY ADAMS' ADMINISTRATION.

John Quincy Adams.....	President.....	1825-1829
John C. Calhoun.....	Vice-President.....	1825-1829

## CABINET.

Henry Clay.....	Secretary of State.....	1825-1829
Richard Rush.....	Secretary of Treasury.....	1825-1829
James Barbour.....	Secretary of War.....	1825-1828
Peter B. Porter.....	“ “.....	1828-1829
Samuel Southard.....	Secretary of Navy.....	1823-1829
John McLean.....	Postmaster-General.....	1823-1829
William Wirt.....	Attorney-General.....	1817-1829

**JOHN QUINCY ADAMS' ADMINISTRATION. 205**

**JUDICIAL OFFICERS.**

**John Marshall .....Chief Justice.....1801-1835**

**LEGISLATIVE OFFICERS.**

**John W. Taylor.....Speaker of House.....1825-1827**

**Andrew Stevenson.....“ “ .....1827-1834**

## CHAPTER XI.

## JACKSON'S ADMINISTRATIONS.

1829—1837.

## THE PRESIDENT'S POLICY.

General Jackson's administration was an eventful one, and marks an epoch in the political history of the country. The nation had known him as a fearless and successful general, but when the legislature of Tennessee nominated him for the presidency, it was looked upon in New England as a piece of absurdity. Though his state had sent him to the House of Representatives, and subsequently to the Senate, he had not impressed the country as a statesman. A man of the masses, and an idol of the people, he rode into power on the popular cry that the tendencies of government had been undemocratic, and the will of the people had been disregarded under the pretext of adhering to the constitution. The election of Jackson, therefore, was looked upon as a victory of the people, and a triumph of the democratic principle. His inaugural address was highly republican, and indicated no radical departure from the policies of his predecessors. He promised to keep steadily in view the limitations, as well as the extent of the executive power; to preserve peace and cultivate friendship with foreign nations; not to confound the powers that the states had reserved to themselves with those they had granted to the federal government, in any measures he might be called upon to pursue in regard to their rights; to give no inconsiderable share of his solicitude to the management of the public revenue; to lend aid to any measure looking to the strengthening of the national

militia; to correct those abuses which had brought the patronage of the federal government into conflict with the freedom of elections; and to counteract those causes which had disturbed the rightful course of appointment, and had placed or continued power in unfaithful or incompetent hands. In relation to the one important question of state *versus* federal authority, it will be observed, that he makes a statement so general as to leave his views in utter doubt. To "take care not to confound the reserved powers of the separate states with those which they had granted to the confederacy," without intimating any opinion whatever upon the point of real issue before the country—the threatening attitude of Georgia and South Carolina—was calculated to quiet both sides temporarily, and enable the President to glide safely between the dangerous rocks.

#### PARTY OPPOSITION.

The "era of good feeling" that dawned upon Monroe's administration was not destined to last. Under the present administration the old party spirit and party names were revived with increased bitterness. The President encountered a constant struggle with his political opponents, the national republicans, the anti-Masons, the United States Bank, the nullificationists, and the loose constructionists of his own party, who were in favor of protection and internal improvements. He was successful only because his opponents could not unite upon any single line of policy, and because he was a man of undoubted sincerity, to whom, contending, as he was, against great odds, there would come considerable support through natural sympathy.

#### REMOVALS FROM OFFICE.

President Jackson inaugurated and carried out what is commonly called the "spoils system," from an expression

dropped by one William L. Marcy, a senator from New York, in a speech urging the Senate to confirm the nomination of Martin Van Buren as minister to England. In the course of his speech he said: "The people of New York preach what they practice; when they are contending for victory, they avow their intention of enjoying the fruits of it. If they are defeated, they expect to retire from office. If they are successful, they claim, as a matter of right, the advantage of success. They see nothing wrong in the rule that to the victors belong the spoils of the enemy." "To the victors belong the spoils" from that hour to this has been the inviolable law of American politics. Though the President had, some twelve years before, counseled James Monroe, in a private letter, soon after his inauguration as President, "to exterminate that monster called party spirit;" yet, in his own administration he established a precedent, which, more than anything else, is calculated to keep alive party spirit and degrade the public service. He removed officials, merely because they differed from him in their political views, and replaced them with his own political friends. The general alleged, in extenuation of his policy, that he could conduct the government better by the aid of his friends than by that of his opponents, remarking that he was "too old a soldier to leave his garrison in the hands of his enemies." Collectors and inspectors of customs, surveyors of ports, naval officers, district marshals and attorneys, receivers of public moneys, comptrollers, auditors, registers and clerks in the executive departments were removed indiscriminately, and democrats appointed in their places. During his entire administration the number of removals ran up to six hundred and ninety. In comparison with this, General Washington, in eight years, removed nine public officers, one for default; John Adams, in four years, removed ten, one for default; Thomas Jefferson, in eight years, removed thirty-nine; James

Madison, in eight years, removed five, three of them for default; John Quincy Adams, in four years, removed only two, and both of them for default. The national republicans opposed this policy, and passed resolutions condemning it.

Congress met December 7, 1829, the democrats having a **Twenty-first Congress,** } majority in both branches. In his **First session.** } message to this Congress the President advised a change in the mode of electing the President and Vice-President, so as to have the people vote directly for these offices. As to the tariff he did not give a distinct enunciation of his views, but left the impression that he would be unfavorable to protection. With reference to the national bank he showed clearly that he doubted the constitutionality of it, by suggesting that an inquiry be made into the question, and also the advisability of renewing its charter. He advised retrenchment and reform in various directions, but, upon the majority of things in the message, Congress was not disposed to act. To many of them they paid no attention at all. This shows that the President, from the very start, did not have the entire co-operation of his own party.

#### THE WEBSTER AND HAYNE DEBATE.

It was during this session that the "Great Debate in the Senate," between Daniel Webster, of Massachusetts, and Mr. Hayne, of South Carolina, occurred. The occasion of it was a resolution offered by Mr. Foot, of Connecticut, in the Senate, "inquiring into the expediency of suspending the sales of public lands." From this apparently harmless resolution the debate branched off in every direction, embracing, within its range, the great fundamental principles of our government. Prominent among them was the relation of the states to the federal government. Upon this question Mr. Hayne delivered himself very fully, taking the position that the fed-



eral government was not superior in authority to an individual state, and that his own state had the right to decide, on its own responsibility, a law of Congress to be unconstitutional. This doctrine now received the name of "nullification." Mr. Hayne declared the intention of South Carolina to interpose her protecting power against the federal government whenever the latter should attempt to enforce upon her a law which she deemed unconstitutional. Against the legality of such proceedings upon the part of a state Mr. Webster argued at great length. The supremacy of the federal government he demonstrated to be the one principle which must be unquestioned, if we would preserve our institutions and save the Union. The speeches were "brilliant, comprehensive, and eloquent." The part which Webster took in the discussions rendered him famous, and won for him the title of "Defender of the Constitution."

#### POCKET VETO.

Congress passed a bill at this session authorizing a government subscription to the stock of the Maysville Turnpike Road, in Kentucky. Believing that Congress had transcended her power in passing such a bill, the President vetoed it. Two days before adjournment Congress passed two other bills similar to this one. The President could retain them by law ten days before affixing his signature. This he did, which virtually amounted to a veto, as the day for adjournment came before the ten days were up. This was afterward referred to as the "pocket veto," and was more than once used by the President afterward. Congress adjourned May 31, 1830.

#### JACKSON AND CALHOUN.

At his inauguration President Jackson expressed himself  
Twenty-first Congress, } in favor of the one-term principle,  
Second Session. } and afterward recommended a con-

stitutional amendment to that effect. Upon this announcement Mr. Calhoun began to lay plans for the election of himself to the Presidency, as General Jackson's successor. The two men were not in harmony upon all the prominent questions of the day, and particularly upon the state rights question. Mr. Calhoun represented the southern idea, and the President the opposite. On April 13, 1830, some of the leading democrats, at Washington, gave a dinner in honor of Jefferson's birthday. After the regular toasts were given, which had been so arranged as to hint at least at nullification, the President offered a volunteer toast, "Our Federal Union; it *must* be preserved." The Vice-President, Calhoun, in return, offered one to "Liberty, dearer than Union." This episode called the attention of the country to the extent in which the doctrine of nullification was held among the democratic leaders, and disclosed the fact that the President and Vice-President were squarely arrayed on this question. Mr. Calhoun had secured the support of the *Telegraph*, the administration journal, and the friendship of three cabinet officers, and, in March, 1831, came out in an attack upon the President, which was re-echoed by various papers throughout the country, favorable to the Calhoun doctrine. This publication produced a rupture between the general and Calhoun, which was immediately followed by a reorganization of the cabinet, and the establishment of *The Globe*, a journal in the interests of the administration. The breaking up of the cabinet was freely denounced by the opposition and the friends of Mr. Calhoun.

In his message to this Congress the President again spoke unfavorably with reference to the bank, and argued that Congress had no right to vote appropriations for any internal improvements, unless of such a character as to benefit the country at large. He, however, signed a harbor improve-

ment bill, which had passed both Houses by very large majorities. Congress adjourned March 3, 1831.

#### THE NULLIFICATION OR CALHOUN PARTY.

In 1831, after the rupture between Calhoun and the President, the former proceeded with his work of organizing a party of his own in the south, which should elevate him to the presidency. He traveled through his own state and Georgia, harranguing the people, instigating the legislature to resistance of the tariff laws, and advised the election of Senator Hayne to the office of governor, in which he would be in a position to carry out the designs of Mr. Calhoun in the emergencies contemplated. The latter, in his speeches, continually inveighed against the President and Mr. Van Buren, of whom he continued to be jealous. Though he had a strong following in South Carolina, and throughout the south, on the question of state rights, and succeeded in getting his nullification ordinances passed in his own state, yet when it came to the election of 1832, he was offered only the electoral vote of South Carolina, which, of course, he declined to accept. (Plate VI.)

#### LAND PROCEEDS.

In 1832, an attempt was made to pass a law requiring that the proceeds from the sale of public lands be distributed among the states. It did not receive the signature of the executive, but a bill providing for the distribution of the surplus revenue among the states originated in the Senate and became a law. The distribution of the land proceeds among the states was advocated by the national republican and the whig party.

#### ATTEMPTED RECHARTER OF THE NATIONAL BANK.

Congress met December 5, 1831. The democrats were

Twenty-second Congress, } slightly in the minority in the  
First Session. } Senate, and had a majority of one  
in the House. In his message to this Congress the President,  
for the third time, attacked the national bank. Though the  
bank's charter had yet five years to run, it felt called upon to  
begin the fight and made application for a new charter. The  
President's adherents in the House demanded an investigation  
into the affairs of the bank. For this purpose a committee  
was appointed, which brought in two reports, a majority re-  
port approving its management, and a minority report con-  
demning it. After a lengthy discussion a bill to renew the  
charter passed both Houses, but was vetoed by the President  
July 10, 1832. As they did not have the requisite two-thirds  
majority to pass it over his veto the measure fell through.

#### INTERNAL IMPROVEMENTS.

At this session Congress passed and the President signed  
a bill appropriating \$1,200,000 for internal improvements.  
He refused, however, to sanction another measure of a similar  
nature, known as the "harbor bill."

#### THE TARIFF OF 1832.

The President had in his annual message recommended a  
reduction of the tariff on imports, and the subject was referred  
to the committee on manufactures, of which John Quincy  
Adams was chairman. The report of this committee on the  
subject repealed the tariff act of 1828 and reduced the duties  
on some leading articles, as iron and coarse woollens. It  
was expected by the friends of protection that this measure  
would suit the discontented element in the south, and partic-  
ularly in South Carolina. With this hope Congress passed  
the bill and the President signed it. It failed in this design,  
however, for on the day after the passage of the bill the rep-  
resentatives of South Carolina met at Washington and pub-

lished an address upon the subject of tariff in which they urged resistance. In that address they claimed that in the act just passed the duties upon protected articles were really increased, while the decrease was made only in duties upon unimported articles; that the burden of supporting the government was thus thrown upon the southern states, while the other states gained more than they lost by the operations of this system. The address closes thus: "They will not pretend to suggest the appropriate remedy, but after expressing their solemn and deliberate conviction that the protecting system must now be regarded as the settled policy of the country, and that all hope of relief from Congress is irrecoverably gone, they leave it with you, the sovereign power of the state, to determine whether the rights and liberties which you received as a precious inheritance from an illustrious ancestry, shall be tamely surrendered without a struggle or transmitted undiminished to your posterity."

The nomination of Martin Van Buren, of New York, as minister to England, came up in the Senate for confirmation. It was rejected, the vote being arranged so as to give the Vice-President the casting vote, which, with "vengeance," he cast in opposition to the nomination. Congress adjourned July 14, 1832.

#### ELECTION OF 1832.

The first national convention ever held in the United States was that of the anti-Masonic party, which assembled in Philadelphia, September, 1830. By the recommendation of this convention, the party met in convention at Baltimore, September, 1831, and nominated William Wirt for President, and Amos Ellmaker for Vice-President. Their mode of nominating by a general convention was followed by the other parties. The national republican party held a national convention in the same city December 12, 1831. Henry Clay and John Sergeant were nominated by a unanimous

vote. They adopted no platform at this time, but in the following May, at a ratification meeting held in Washington, resolutions were adopted favoring a protective tariff, internal improvements, and opposing the President's "removals," his abuse of power, and the doctrine that "to the victors belong the spoils." In March, 1832, the democratic national convention met in the same city, and confirmed the nomination of Jackson, which had been made in 1830, by the New York legislature. They nominated Martin Van Buren, of New York, for Vice-President. Preceding the vote for the latter, it was resolved "that two-thirds of the whole number of votes in the convention shall be necessary to constitute a choice." This was the origin of the famous two-thirds rule. No platform of principles was adopted. The nullificationists' candidate was John C. Calhoun, nominated by the legislature of South Carolina. No one was nominated for Vice-President, and no declaration of principles was made. General Jackson was re-elected, receiving two hundred and nineteen electoral votes out of three hundred and sixteen.

#### ANTI-SLAVERY SOCIETY.

During the administration of Andrew Jackson, the slave power attained the zenith of its supremacy. The arrogant and threatening attitude it assumed aroused the abolition sentiment in the north, and brought out in organized form the power destined finally to overthrow it. Benjamin Lundy, a Quaker, born in New Jersey, and William Lloyd Garrison, born in Massachusetts, were two of the pioneers in this movement. By their publications and speeches they did incalculable service to the cause of emancipation. So rapidly did the movement spread that in 1833 they were enabled to organize the American anti-slavery society. It gave to the country a declaration of principles, the essence of which was that "slavery is a crime," and no reasons of expediency

could justify its perpetuation. The free states share in the crime, and their population are therefore bound to take action. These opponents of slavery were called abolitionists.

#### NULLIFICATION ORDINANCE.

Congress met December 3, 1832. Immediately after the **Twenty-second Congress,** } tariff measure of the first session  
**Second Session.** } of this Congress was passed, and the address of the South Carolina representatives at Washington sent out, meetings were held all over that state denouncing the tariff and pledging persons attending, to support the state government in any measures of resistance it might adopt. The nullifiers gained a majority in both houses of the state legislature, which body Governor Hamilton convened in special session at Columbia, October 22, 1832. The first thing taken up was the tariff question, and a bill was passed authorizing a convention to meet in that city on the 19th of November following. This convention recommended the passage of an ordinance declaring all the acts of Congress imposing duties on imported goods, and more especially the laws of May 19, 1828, and July 14, 1832, to be null and void within the state of South Carolina. It further provided that no appeal should be permitted to the Supreme Court of the United States on any question concerning the validity of the ordinance, or of the laws passed to give effect thereto. It also prohibited the authorities from enforcing the payment of duties within the state from and after the 1st of February, 1833. The legislature passed the laws required by this ordinance soon after the adjournment of the convention. This was followed by a proclamation from the President, in which he pronounced against the action of South Carolina, expounded the constitution according to the views of Webster, and expressed his determination to execute the laws of the United States. As a specimen of the style and spirit of this procla-

mation, take the following: "I consider, then, the power to annul a law of the United States, assumed by one state, incompatible with the existence of the Union, contradicted expressly by the letter of the constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed." In South Carolina the proclamation was characterized as "the edict of a dictator." The Governor urged the people to protect the liberty of the state, and Congress empowered the President to employ the forces necessary to insure the collection of the revenue. Accordingly he occupied Charleston harbor with a naval force and furnished guards for the protection of officials engaged in the collection of the revenue under the tariff of 1832. Virginia, at this juncture, offered her mediation. During this time there was going on in Congress a prolonged discussion on various modifications of the tariff, which ended in the passage of a bill known as the

#### COMPROMISE TARIFF OF 1833,

championed by Henry Clay. It provided for a gradual reduction of duties till June, 1842, after which the duties on all goods were to be 20 per cent. This put to rest the spirit of nullification. In his message to this congress the President renewed his attack upon the United States bank, and startled Congress and the country by expressing doubts concerning its solvency. He recommended that United States revenue be no longer deposited in the bank, and that the stock belonging to the United States be sold. The friends of the bank, in Congress, easily defeated both these propositions. Congress adjourned March 2, 1833, and, on March 4, Jackson and Van Buren took the oath of office.

#### REMOVAL OF DEPOSITS.

The law of 1816, creating the bank of the United States,



ordered that the public moneys should be deposited in its vaults, giving the secretary of the treasury power to remove the funds when necessary, he being required to lay before Congress his reasons therefor immediately afterward. Determined to act in harmony with his recommendation to the last Congress, he order the secretary of the treasury to remove the deposits. Upon his refusal to comply, the President removed him, and appointed William J. Duane, of Pennsylvania, in his place. He was quite as unwilling as his predecessor to comply with the President's request, who, after many efforts to persuade him, announced to the cabinet his determined purpose to have the deposits removed, and compelled Duane to resign. His successor was Roger B. Taney, of Maryland. He, in accordance with the President's decision, gave the necessary orders for removal. It was rather a cessation than removal, however, as the previous deposits were left in the bank to be drawn upon till exhausted. This act of the President was censured by the entire opposition and many of his political friends. Great financial distress followed the removal of the deposits, and great excitement was created throughout the country.

#### STATE BANKS.

When the national bank ceased to be the place for depositing the public moneys, the democrats favored the use of state banks as depositories; this the whigs opposed, and advocated the establishment of a "sub-treasury," as it was afterwards designated, which was nothing more than a scheme to place the public moneys in the custody of certain faithful agents appointed by the secretary of the treasury.

#### RESOLUTION OF CENSURE.

Congress met December 2, 1833. In the message to this  
**Twenty-third Congress,** } Congress, and in the report of the  
**First Session.** } secretary of the treasury, the removal

of deposits was defended. In the Senate resolutions condemning the action of the President were introduced by Mr. Clay, which, after being debated for three months, were passed. The second resolution declared that the President, in removing the deposits, "had assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both." These resolution were, however, tabled in the House. Congress adjourned June 30, 1834.

Congress met December 1, 1834. There was very little **Twenty-third Congress,** } of interest done this session. Some **Second Session.** } further appropriations were voted for internal improvements, and regulations were made to govern the deposit of public moneys in state banks. At this session the sub-treasury plan was voted down. Congress adjourned March 3, 1835.

#### THE WHIG PARTY.

In the reconstruction of parties, which grew out of the intense political excitement over the removal of the "deposits," there resulted the formation of the whig party, composed of the national republicans, the anti-Masons, some of the nullifiers, and many democrats who were displeased with the high-handed measures of the President. (Plate VI.)

#### LOCOFOCOS.

In 1835, in the city and county of New York, a portion of the democrats organized themselves into the "equal rights" party. At a meeting in Tammany Hall they attempted to embarrass the proceedings of the democratic nominating committee, by presenting a chairman in opposition to the one supported by the regular democrats. Both parties came to a dead lock, and, in the midst of great confusion, the committee extinguished the lights. The equal rights men immediately relighted the room with candles and locofoco

matches, with which they had provided themselves. From this they received the name of locofocos, a designation which, for a time, was applied to the whole democratic party by the opposition. (Plate VI.)

Congress met December 7, 1835. The President announced, **Twenty-fourth Congress, } in his message, that the national**  
**First Session. } debt would soon be paid off.** A long debate ensued as to the disposition of the surplus of revenue, which would arise after the extinction of the debt. An act was finally passed which provided that after January 1, 1837, all surplus revenue exceeding \$5,000,000 should be divided among the states as a *loan*, subject to recall by direction of Congress. Congress adjourned July 4, 1836.

#### ELECTION OF 1836.

The democrats met in national convention at Baltimore, in May, 1835, and nominated Martin Van Buren and R. M. Johnson. The whigs, in convention at Albany, New York, at which only delegates from that state were present, nominated William Henry Harrison and Francis Granger. Neither party adopted a platform. The nominations at Albany were indorsed by a great many whig state conventions throughout the country, but there were some exceptions. Daniel Webster, H. L. White, and William Smith were also candidates. This lack of unity injured the chances of success for the whig party. Van Buren was chosen by a mere popular majority.

#### SPECIE CIRCULAR.

As a consequence of the fall of the United States bank, a great many state banks sprung up, often without sufficient capital to meet the expected need of paper money. Their notes were used very largely in the purchase of lands from the United States. This paper currency was of doubtful worth, and to prevent the accumulation of it in the treasury

the President issued his "specie circular," which required the treasurer to receive only gold and silver in return for lands sold. This produced a great revulsion in business, and culminated in the "panic of 1837."

## TEXAS.

Congress met December 5, 1836. A resolution was passed  
**Twenty-fourth Congress,** } recognizing the independence of  
**Second Session.** } Texas, which had previously been  
a part of Mexico, notwithstanding the President in his message had advised Congress not to interfere in the struggle.

## ANTI-SLAVERY MAIL.

The war which the abolitionists were making upon slavery at this time was creating great excitement north and south. In 1835 the President recommended to Congress the passage of a law suppressing the circulation, by mail, of anti-slavery publications in the southern states. The whigs opposed the law on the ground that it invaded the sanctity of private correspondence. The bill offered to this effect was rejected.

## THE RIGHT OF PETITION.

The zeal of the abolitionists in offering petitions to Congress brought up the question of the right of petition. The pro-slavery men argued that petitions for the abolition of slavery should not be received. Before leaving office President Jackson issued a farewell address to the American people. Congress adjourned March 3, 1837, and on March 4, Van Buren and Johnson took the oath of office. During Jackson's second term two states were admitted into the Union, as follows: Arkansas, June, 1836, and Michigan, January, 1837.

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## EXECUTIVE OFFICERS OF JACKSON'S ADMINISTRATIONS.

Andrew Jackson.....	President	.....	1829-1837
John C. Calhoun.....	Vice-President.....		1829-1833
Martin Van Buren.....	" "		1833-1837

## CABINET.

Martin Van Buren.....	Secretary of State.....		1829-1831
Edward Livingston.....	" "		1831-1833
Louis McLane.....	" "		1833-1834
John Forsyth.....	" "		1834-1837
Samuel D. Ingham.....	Secretary of the Treasury.....		1829-1831
Louis McLane	" " "		1831-1833
William J. Duane.....	" " "		1833-1833
Roger B. Taney.....	" " "		1833-1834
Levi Woodbury	" " "		1834-1841
John H. Eaton..	Secretary of War.....		1829-1831
Lewis Cass.....	" "		1831-1837
John Branch.....	Secretary of the Navy.....		1829-1831
Levi Woodbury.....	" " "		1831-1834
Mahlon Dickerson.....	" " "		1834-1838
William T. Barry.....	Postmaster-General.....		1829-1835
Amos Kendal.....	" "		1835-1840
John McPherson Berrien.....	Attorney-General.....		1829-1831
Roger B. Taney.....	" "		1831-1833
Benjamin F. Butler.....	" "		1833-1838

## JUDICIAL OFFICERS.

John Marshall.....	Chief Justice.....		1801-1835
Roger B. Taney.....	" "		1836-1864

## LEGISLATIVE OFFICERS.

Andrew Stevenson.....	Speaker of the House.....		1827-1834
Henry Hubbard.....	" " "		1834-1834
John Bell.....	" " "		1834-1835
James K. Polk.....	" " "		1835-1839

1813-1829.—No Platforms by either Political Party, except that at Hartford by Federalists.

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1830.—ANTI-MASÓNIC RESOLUTION,

*Philadelphia, September.*

*Resolved*, That it is recommended to the people of the United States, opposed to secret societies, to meet in convention on Monday, the 26th day of September, 1831, at the city of Baltimore, by delegates equal in number to their representatives in both houses of Congress, to make nominations of suitable candidates for the offices of President and Vice-President, to be supported at the next election, and for the transaction of such other business as the cause of anti-Masonry may require.

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1832.—NATIONAL DEMOCRATIC PLATFORM, ADOPTED AT A RATIFICATION MEETING

*At Washington City, May 11.*

*Resolved*, That an adequate protection to American industry is indispensable to the prosperity of the country; and that an abandonment of the policy at this period would be attended with consequences ruinous to the best interests of the nation.

*Resolved*, That a uniform system of internal improvements, sustained and supported by the general government, is calculated to secure, in the highest degree, the harmony, the strength and permanency of the republic.

*Resolved*, That the indiscriminate removal of public officers for a mere difference of political opinion, is a gross abuse of power; and that the doctrine lately boldly preached in the United States Senate, that "to the victors belong the spoils of the vanquished," is detrimental to the interests, corrupting to the morals, and dangerous to the liberties of the country.

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1836.—"LOCOFOCO" PLATFORM.

*New York, January.*

We hold these truths to be self-evident, that all men are created free and equal; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness; that the true foundation of republican government is the equal rights of every citizen in his person and property, and in their management; that the idea is quite unfounded that on entering into society we give up any natural right; that the rightful power of all legislation is to declare and en-

force only our natural rights and duties, and to take none of them from us; that no man has the natural right to commit aggressions on the equal rights of another, and this is all from which the law ought to restrain him; that every man is under the natural duty of contributing to the necessities of society, and this all the law should enforce on him; that when the laws have declared and enforced all this, they have fulfilled their functions.

We declare unqualified hostility to bank notes and paper money as a circulating medium, because gold and silver is the only safe and constitutional currency; hostility to any and all monopolies by legislation, because they are violations of equal rights of the people; hostility to the dangerous and unconstitutional creation of vested rights or prerogatives by legislation, because they are usurpations of the people's sovereign rights; no legislative or other authority, in the body politic, can rightfully, by charter or otherwise, exempt any man or body of men, in any case whatever, from trial by jury, and the jurisdiction or operation of the laws which govern the community.

We hold that each and every law or act of incorporation, passed by preceding legislatures, can be rightfully altered and repealed by their successors; and that they should be altered or repealed, when necessary for the public good, or when required by a majority of the people.

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#### 1836.—WHIG RESOLUTIONS,

*Albany, N. Y., February 3.*

*Resolved,* That in support of our cause, we invite all citizens opposed to Martin Van Buren and the Baltimore nominees.

*Resolved,* That Martin Van Buren, by intriguing with the executive to obtain his influence to elect him to the Presidency, has set an example dangerous to our freedom and corrupting to our free institutions.

*Resolved,* That the support we render to William H. Harrison is by no means given to him solely on account of his brilliant and successful services as leader of our armies during the last war, but that in him we view also the man of high intellect, the stern patriot, uncontaminated by the machinery of hackneyed politicians—a man of the school of Washington.

*Resolved,* That in Francis Granger we recognize one of our most distinguished fellow-citizens, whose talents we admire, whose patriotism we trust, and whose principles we sanction.



## CHAPTER XII.

## VAN BUREN'S ADMINISTRATION.

1837-1841.

## PRESIDENT'S POLICY.

Van Buren continued Jackson's cabinet, and promised "to follow in the footsteps of his illustrious predecessor." The reduced democratic majority in the non-slaveholding states which he had received, made it apparent that a re-election must come, if at all, from the south. He improved the earliest opportunities of making advances in that direction, and declared that he "went into the Presidential chair the inflexible and uncompromising opponent of every attempt on the part of Congress to abolish slavery in the District of Columbia, against the wishes of the slaveholding states; and, with equal determination, he would resist the slightest interference with it in the states where it existed."

## PANIC OF '37.

The circumstances attending the accession of the new President to power were very inauspicious. The doing away with the United States bank, and the making of gold and silver the medium of exchange, produced a money pressure, which culminated in May, 1837. During this month the banks of New York suspended specie payment. Their example was followed by other banks throughout the country. Commercial distress and business prostration followed immediately. Property depreciated, and the whole country was filled with distress and consternation. This condition of things was the more embarrassing to the new administration,

because it had grown out of measures enacted and sanctioned by the previous one, to the continuation of which Van Buren had pledged himself. He was urged to repeal the specie circular, and call an extra session of Congress.

Congress met September 4, 1837. The democrats were in **Twenty-fifth Congress,** } the majority, but the whigs had made **Extra Session.** } great gains. James K. Polk, of Tennessee, was elected Speaker. The President, in his message, went into a lengthy discussion of the causes instrumental in bringing about such a condition of affairs, and held that the government should not attempt to interfere directly with the panic, but let it right itself, which it would finally do more easily and satisfactorily than could be done in any other way. He held that the panic was due, in large part, to the overstimulated condition of commerce and trade, engendered by an excessive issue of bank paper, previous to the issuing of the "specie circular," and that the country must look to the development of its resources as a means of bridging over the financial distress. He, therefore, refused to rescind the "specie circular," but proposed, instead, a

#### SUB-TREASURY.

This plan met with strong opposition from the whigs, and some of the democrats, the latter assuming the title of "conservatives," and, as a rule, voting with the whigs on financial measures. The measure establishing the sub-treasury, though passed in the Senate, was lost in the House; but an act was passed authorizing the issue of \$10,000,000 in treasury notes, and giving merchants further time on their revenue bonds. Congress adjourned October 16.

Congress met December 4, 1837. The bill for the establishment of the independent treasury } **Twenty-fifth Congress,** } **First Session.** } was again recommended by the President, and again passed in the Senate, but killed in the House.

As a measure of relief to business, a joint resolution was passed, authorizing the secretary of the treasury to receive the notes of specie-paying banks in payment for public lands. This annulled the specie circular.

#### ANNEXATION OF TEXAS.

During this session a bill was offered by Senator Preston, of South Carolina, which proposed as follows: "*Be it Resolved*, That with the consent of the said state previously had, and whenever it can be effected consistently with the faith and treaty stipulations of the United States, it is desirable and expedient to re-annex the said territory to the United States." This was the beginning of a great agitation, involving the extension of slavery and the dangerous supremacy of the slave power. After some discussion the subject was laid on the table. Congress adjourned July 9, 1838.

#### STATE BANK DEPOSITORIES VS. SUB-TREASURY.

In the course of the controversies upon the bank and financial matters generally, it will be observed that each party in time changed its position and involved itself in inconsistency. The whigs, during Jackson's administration, opposed the use of state banks as depositories for government moneys and favored a sub-treasury. When Van Buren recommended the latter scheme the whigs brought all their influence to bear against it, and advocated state banks as depositories instead. In justification of this change of position they argued that frequent changes in the policy of the government were more injurious than the "intrinsic defects of any particular plan of finance." The democrats, who were supporting the administration, were involved in the same inconsistency. Under Jackson's last term they had favored the state bank system, while now they were arrayed squarely against it. This change the people could not understand,

and, as a consequence, their views upon the question were greatly confused.

#### THE RIGHT OF PETITION.

There was little of party interest occurred this session. **Twenty-fifth Congress, } Congress and the administration ap-**  
**Second Session. } peared disinclined to interfere in the**  
financial troubles of the country, which tended to weaken the democratic party in its hold upon the people. During this session the question of the "right of petition," which was sprung in Jackson's administration, came up. Mr. Atherton reported a series of resolutions, which closed with the provision "that every petition, or paper, in any way relating to slavery, as aforesaid, should, on presentation, without further action thereon, be laid on the table without being debated or referred." This was adopted by majorities ranging from forty-eight to fifty-eight. Since the question had begun to be agitated, similar resolutions had been passed at three other sessions. In 1840, one was passed by a majority of six, and in 1845 the rule was rescinded and Congress "consented to receive and treat respectfully all petitions on the subject of slavery." Congress adjourned March 3, 1839.

#### THE ABOLITION PARTY.

The passage of resolutions against the right of petition, and the strong pressure brought to bear to prohibit anti-slavery literature from being carried in the mails, aroused quite an excitement in the north, and many who had never entertained any sympathy for the abolitionists now sided with them. By this means they grew in strength till, in November, 1839, they were enabled to organize; which they did at Warsaw, New York, under the name of the abolition party. (Plate VI.)

#### LIBERTY PARTY.

The state convention of the New York abolitionists, which

met at Arcade, in January, 1840, issued a call for a national convention, to meet at Albany, to consider the advisability of forming a political party of their own. The anti-slavery leaders generally assumed an attitude of indifference or coolness towards the proposed movement, and the Massachusetts anti-slavery society issued an address, in which it took strong grounds against it. When the convention met there were found to be only seventeen delegates present, outside of New York. Notwithstanding, a new political party was formed, and the name "Liberty party" adopted. It drew strength from both democrats and whigs. (Plate VI.)

Congress met December 2, 1839. The whigs had made **Twenty-sixth Congress, } great gains, and were quite hopeful**  
**First Session. } of having a majority in the House.**  
A contest arose over the New Jersey delegation, there being five whig candidates with certificates of election, and five democrats, contesting their claim on the grounds of a miscount in one county. The congressmen were at this time chosen on a general ticket by the whole state. The question was not settled until March, 1840, when the democratic delegation was admitted to their seats. This session is noted as being the one in which the independent treasury scheme finally succeeded. It was passed by both Houses, and signed by the President. This completely divorced the bank and state, a thing which the President had greatly desired. The policy of making appropriations for internal improvements was done away with under the strict constructionist influence of the President. Congress adjourned July 21, 1840.

#### ELECTION OF 1840.

In the campaign of 1840, the abolitionists appeared as a distinctive party. At their convention in 1839, they had nominated James G. Birney and Francis J. Lemoyne. These nominations were declined; but the organization, the follow-

ing year, under the name of "liberty party," nominated James G. Birney and Thomas Earle. The national convention of the whig party met at Harrisburg, December 4, 1839, and nominated William Henry Harrison and John Tyler. No platform was adopted. These nominations were very popular. The democratic national convention met at Baltimore, on the 5th of May, 1840, and unanimously nominated Mr. Van Buren for a second term, leaving to the states the nomination of a Vice-President. They adopted a platform, setting forth their principles in plain terms. This campaign was one of unrivaled enthusiasm. The whigs made the defeat of Van Buren and the overthrow of his policy their chief object. The President was held up before the people; every defalcation on the part of government officials, all the evils that grew out of the unfortunate bank policy, together with alleged extravagance in the expenditure of public money, were charged upon Mr. Van Buren. The whigs had no platform to support, and made no attempts to defend accusations against their candidates, hence their fight was aggressive. They brought all their forces to bear against the President's financial policy, the sub-treasury scheme, the suspension of internal improvements, the extravagant expenditures of the Seminole war, and the re-election of a President for a second term. General Harrison had the advantage of a military reputation, which did for him what it did for General Jackson. The friends of Van Buren found it difficult to arouse enthusiasm in his behalf. The result was the election of General Harrison by a large majority, receiving two hundred and thirty-four electoral votes to sixty cast for Van Buren. This canvass was known as the "log cabin and hard cider campaign." The abolition party got no electoral votes, but polled a popular vote of seven thousand six hundred and nine.

Congress met December 7, 1840. There was little of party  
**Twenty-sixth Congress,** } interest occurred at this session.  
**Second Session.** } Congress adjourned March 3, 1841,  
 and on March 4 Harrison and Tyler took the oath of office.

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## EXECUTIVE OFFICERS OF VAN BUREN'S ADMINISTRATION.

Martin Van Buren .....	President .....	1837-1841
Richard M. Johnson.....	Vice-President .....	1837-1841

## CABINET.

John Forsyth.....	Secretary of State.....	1834-1841
Levi Woodbury.....	Secretary of Treasury.....	1834-1841
Joel R. Poinsett.....	Secretary of War.....	1837-1841
Mahlon Dickerson.....	Secretary of Navy.....	1834-1838
James K. Paulding.....	" " .....	1838-1841
Amos Kendall.....	Postmaster-General .	1835-1840
John M. Niles.....	" " .....	1840-1841
Benjamin F. Butler.....	Attorney-General .....	1833-1838
Felix Grundy.....	" " .....	1838-1840
Henry D. Gilpin.....	" " .....	1840-1841

## JUDICIAL OFFICERS.

Roger B. Taney .....	Chief Justice.....	1836-1864
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## LEGISLATIVE OFFICERS.

James K. Polk.....	Speaker of House.....	1835-1839
Robert Hunter.....	" " .....	1839-1841

## 1839.—ABOLITION RESOLUTION,

*Warsaw, N. Y., November 13.*

*Resolved, That, in our judgment, every consideration of duty and expediency which ought to control the action of Christian freemen, requires of the abolitionists of the United States to organize a distinct and independent political party, embracing all the necessary means for nominating candidates for office and sustaining them by public suffrage.*

## 1840.—DEMOCRATIC PLATFORM,

*Baltimore, May 5.*

*Resolved, That the federal government is one of limited powers, derived solely from the constitution, and the grants of power shown therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.*



2. *Resolved*, That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements.

3. *Resolved*, That the constitution does not confer authority upon the federal government, directly or indirectly, to assume the debts of the several states, contracted for local internal improvements or other state purposes; nor would such assumption be just or expedient.

4. *Resolved*, That justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country—that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and to complete and ample protection of persons and property from domestic violence or foreign aggression.

5. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government.

6. *Resolved*, That Congress has no power to charter a United States bank; that we believe such an institution is one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people.

7. *Resolved*, That Congress has no power, under the constitution, to interfere with or control the domestic institutions of the several states; and that such states are the sole and proper judges of everything pertaining to their own affairs, not prohibited by the constitution; that all efforts, by abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanence of the Union, and ought not to be countenanced by any friend to our political institutions.

8. *Resolved*, That the separation of the moneys of the government from banking institutions is indispensable for the safety of the funds of the government and the rights of the people.

9. *Resolved*, That the liberal principles embodied by Jefferson, in the declaration of independence, and sanctioned in the constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the present privilege of becoming citizens, and

the owners of the soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute book.

*Whereas*, Several of the states which have nominated Martin Van Buren as a candidate for the presidency, have put in nomination different individuals as candidates for Vice-President, thus indicating a diversity of opinion as to the person best entitled to the nomination; and whereas, some of the said states are not represented in this convention; therefore,

*Resolved*, That the convention deem it expedient at the present time not to choose between the individuals in nomination, but to leave the decision to their republican fellow-citizens in the several states, trusting that before the election shall take place, their opinions will become so concentrated as to secure the choice of a Vice-President by the electoral college.

## CHAPTER XIII.

## HARRISON AND TYLER'S ADMINISTRATIONS.

1841-1845.

## PRESIDENT'S POLICY.

The whig party came into power without any well-defined principles, other than their opposition to the preceding administration and its measures. The party itself, in fact, was composed of heterogeneous elements, and the convention which nominated General Harrison wisely omitted the adoption of a platform. He himself, though for a long time in public life, as a member of Congress, a senator, and governor of the territory of Indiana, had not played a conspicuous part in the discussion of political measures. During the campaign his friends paid no attention to charges brought against him by the opposition, but concentrated their forces in an offensive warfare. They relied upon the brilliant military record and the "sublime personal honor" of their candidate, and in this they were not deceived. The cry of "Harrison and Reform" spread to all sections of the Union, and swept away, as by a tide, the party in power. In his inaugural the President set forth what he conceived to be the constitutional powers of the various branches of the government; the nature and use of the veto power; the necessity of preserving inviolate the freedom of the press, and of the impracticability of an exclusive metallic currency. He pronounced himself from the first as in favor of the one-term principle.

## THE PRESIDENT'S DEATH.

On March 17 the President, by proclamation, summoned

Congress to meet May 31, for the consideration of the financial difficulties of the government. Before the time arrived Harrison's death occurred, April 4, 1841. This sad calamity made a very deep impression throughout the whole country. Being the first President to die in office, the provisions of the constitution, transferring, in such an emergency, the functions of the President to the Vice-President, were put to a practical test for the first time. Mr. Tyler was officially informed of the event by a letter from the cabinet, and at once started for Washington, where he arrived on the 6th, and took the usual oath of office. General Harrison's cabinet was retained.

#### TYLER'S INAUGURAL ADDRESS.

The President's inaugural was an address of condolence to the country, in which he sanctioned the call, by his predecessor, of an extra session of Congress, and announced his intention to carry out the will of the people in their election of General Harrison.

#### REPEAL OF THE SUB-TREASURY ACT.

Congress met May 31, 1841, the whigs having a majority  
**Twenty-seventh Congress,** } in both branches. A bill for the  
**Extra Session.** } repeal of the sub-treasury passed  
 both houses, and was signed by the President. It prohibited any officer having charge of public revenue from investing the fund or devoting it to his own use.

In his message to Congress, the President set forth the embarrassed condition of the treasury and the urgent necessity for speedy relief; but he, at the same time, pointed to the fact that the people had successively condemned the bank of the United States, the state deposit system, and the sub-treasury law as schemes of national finance. He deferred to the judgment of the immediate representatives of the people on this question, and promised acquiescence in any action

they might decide upon. In compliance with the desire of Mr. Tyler, the secretary of the treasury submitted to Congress a plan of a bank, which specified that the institution should be called "The Fiscal Bank of the United States." A bill, in accordance with this plan, which was devoid of many of the objectionable features of the old United States bank, was passed by both houses. The bill was returned with a veto message. The President's objection was that the powers granted to the bank were such as he and a majority of the people believed to be unwise and unconstitutional. This was surprising, and, under the circumstances, inexplicable, to the whigs. The party leaders, eager to avoid the disaster of a rupture with the President, asked from him an outline of such a bill as he would approve. This request was complied with, and Congress framed and passed a bill drawn according to his own suggestions; but it was vetoed, September 9, six days after it passed the Senate.

#### RUPTURE BETWEEN THE PRESIDENT AND THE WHIGS.

This action of the President produced great indignation on the part of the whigs. All the members of the cabinet resigned, except Mr. Webster. Tyler was denounced everywhere as a traitor to the party which elected him. In defense of his course it was answered that the bank question had not been a party question in the campaign, and he was not, therefore, bound to any specific position with regard to it. At the close of the session seventy whigs signed a manifesto, declaring that "from that day forth all political connection between them and John Tyler was at an end." This declaration, on the part of the whigs, threw him upon the democrats for support, but, from this source, no support came, only so far as party interests might be subserved thereby. Congress adjourned September 13, 1841.

## TARIFF OF 1842.

Congress met December 6, 1841. The principal thing of **Twenty-seventh Congress,** } this session was the passage of a **First Session.** } law imposing tariff on imports. The compromise act of 1833 reduced our manufactories to a languishing condition, while the government revenues were less than the expenses. Several bills were drafted, and the main question in them all—the increase of duties—elicited a violent discussion on both sides, which revived many of the scenes of 1833. The whig majority, at length, passed a bill continuing, for the present, the duties under the tariff law of '33, according to which protection was to cease after 1842, and providing for the distribution of any surplus revenue among the states. This was vetoed by the President. The bill, with the clause providing for the distribution of surplus revenue left out, was returned to him, and he signed it August 30, 1842. Congress adjourned August 31, 1842.

Congress met December 5, 1842. The session was marked **Twenty-seventh Congress,** } by nothing of party interest. The **Second Session.** } anti-slavery whigs were preparing to meet the question of the annexation of Texas, by working up the people of the north against it. They declared, in an address issued to the public, that it would result in, and justify, a dissolution of the Union. Congress adjourned March 3, 1843.

## THE NATIVE AMERICAN PARTY.

This party was organized in 1843, and operated principally in large cities. The organization was occasioned by the great inflow of foreigners to the city of New York, and held up as its distinctive principles opposition to Catholicism and the election to office of men born in a foreign country.

## HUNKERS AND BARNBURNERS.

In 1843, the democrats in the legislature of New York divided on minor questions, one faction receiving the name of "liberals." The breach thus begun widened till alienation between the factions became complete. Several years passed before a name was given to each division. In Polk's administration the "liberals" were called "barnburners" and the other wing "hunkers."

Congress met December 4, 1843. The House was democratic, and the Senate whig. The President, in his message to Congress, had recommended appropriations for internal improvements for the western states. Accordingly, two bills were passed, the eastern and the western harbor bill. The former was vetoed, but the latter was signed. The Senate rejected a treaty by a vote of thirty-five to sixteen, which the administration had concluded with Texas, providing for annexation. Congress adjourned June 17, 1844.

## ELECTION OF 1844.

The liberty party met in national convention at Buffalo, New York, August, 1843, and nominated James G. Birney and Thomas Morris as their candidates. They adopted a lengthy platform, "denouncing slavery, and calling upon the free states for penal laws to stop the return of fugitive slaves."

The whig convention was held in Baltimore, May 1, 1844. Henry Clay, of Kentucky, and Theodore Frelinghuysen, of New York, were nominated. They adopted a loose constructionist platform, advocating a "national currency, a protective tariff, and a distribution of surplus revenue among the states." The position of Mr. Clay on the question of annexation tended to alienate from his support some of the ultra whigs at the south, but the ticket was generally received with enthusiasm.

The democratic party held their national convention at Baltimore, also, May 27, 1844. The ticket nominated was James K. Polk, of Tennessee, and Silas Wright. The latter declined, and George M. Dallas, of Pennsylvania, was put in his place. They adopted a strict constructionist platform, advocating the re-occupation of Oregon and the annexation of Texas. The nomination of Mr. Polk united the democratic party, so that it presented a strong front to its opponents, among whom there was a lack of harmony. Many whigs at the north were hostile to the annexation of Texas and the system of slavery, while at the south they were in favor of both. Thus both the liberty and democratic parties drew strength from this source. Mr. Tyler was nominated by a convention of office-holders, but finding that the movement did not meet with popular favor, he withdrew in favor of Polk. The latter was elected by a good majority, receiving one hundred and seventy electoral votes to one hundred and five cast for the whigs. In many states, however, the vote was close and indecisive for several days after the election. The abolition or liberty party could have turned the scale in several states and chosen Clay electors; but Clay had alienated them from him by trying to conciliate southern democrats on the annexation question. He expressed himself as in favor of it on certain conditions; but as Polk was the representative of immediate and unconditional annexation, he carried the entire strength of his party, and many whig votes besides.

#### ANNEXATION OF TEXAS.

Congress met December 2, 1844. A bill was introduced  
 Twenty-eighth Congress, } at this session providing for the  
 Second Session. } establishment of a territorial gov-  
 ernment in Oregon. The bill passed the House with an



amendment prohibiting slavery. It was lost in the Senate. The greater part of the time of this session was taken up in the discussion of the Texas question. The President, in his message, committed himself to its annexation, and expressed a determination to resort to coercive measures to stop the long-continued wars between that territory and Mexico. A treaty was consummated on the 12th of April between the secretary of state and Mr. Van Zandt, the representative at Washington of the Texan government. This, as we have seen, was rejected by the Senate at the last session. The measure was advocated by the democrats, and opposed by the whigs, though there were some on both sides that did not go with their party. The question involved was really the supremacy of the south and the slaveholding power in the Union. A number of propositions prohibiting slavery in Texas were voted down. A joint resolution to annex Texas was passed by both houses, and signed by the President on the last day of his official life. The resolution prohibited slavery in states formed from the territory of Texas, north of the Missouri Compromise line, 36° 30' north latitude, and left it to the people themselves whether slavery should exist in states formed south of it. Thus Texas became a state. Florida was admitted into the Union, also, March 3, 1845. On this day Congress adjourned, and on March 4, Polk and Dallas took the oath of office.

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EXECUTIVE OFFICERS OF HARRISON AND TYLER'S ADMINISTRATIONS.

William Henry Harrison.....	President.....	1841-1841
John Tyler.....	Vice-President.....	1841-1841
John Tyler.....	President.....	1841-1845
Samuel H. Southard.....	Vice-President.....	1841-1842
W. P. Mangum.....	“ “ .....	1841-1845

CABINET.

Daniel Webster.....	Secretary of State.....	1841-1843
Hugh L. Legare .....	“ “ .....	1843-1843

Abel P. Upshur.....	Secretary of State.....	1843-1844
John C. Calhoun.....	“ “ .....	1844-1845
Thomas Ewing.....	Secretary of Treasury.....	1841-1841
Walter Forward.....	“ “ .....	1841-1843
John C. Spencer.....	“ “ .....	1843-1841
George M. Bibb.....	“ “ .....	1844-1845
John Bell... ..	Secretary of War.....	1841-1841
John C. Spencer.....	“ “ .....	1841-1843
James M. Porter.....	“ “ .....	1843-1844
William Wilkins.....	“ “ .....	1844-1845
George E. Badger.....	Secretary of the Navy .....	1841-1841
Abel P. Upshur.....	“ “ “ .....	1841-1843
David Henshaw.....	“ “ “ .....	1843-1844
Thomas W. Gilmer.....	“ “ “ .....	1844-1844
John Y. Mason.....	“ “ “ .....	1844-1845
Francis Granger.....	Postmaster-General.....	1841-1841
Charles A. Wickliffe.....	“ “ .....	1841-1845
John J. Crittenden.....	Attorney-General.....	1841-1841
Hugh S. Legare.....	“ “ .....	1841-1843
John Nelson.....	“ “ .....	1843-1845

## JUDICIAL OFFICER.

Roger B. Taney.....	Chief Justice.....	1836-1864
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## LEGISLATIVE OFFICERS.

Robert M. T. Hunter.....	Speaker of the House.....	1839-1841
John White.....	“ “ “ .....	1841-1843
John W. Jones.....	“ “ “ .....	1843-1845
John W. Davis.....	“ “ “ .....	1845-1847

## 1843.—LIBERTY PLATFORM,

*Buffalo, August 30.*

1. *Resolved*, That human brotherhood is a cardinal principle of true democracy, as well as of pure Christianity, which spurns all inconsistent limitations; and neither the political party which repudiates it, nor the political system which is not based upon it, can be truly democratic or permanent.

2. *Resolved*, That the liberty party, placing itself upon this broad principle, will demand the absolute and unqualified divorce of the general

government from slavery, and also the restoration of equality of rights among men, in every state where the party exists, or may exist.

3. *Resolved*, That the liberty party has not been organized for any temporary purpose by interested politicians, but has arisen from among the people, in consequence of a conviction, hourly gaining ground, that no other party in the country represents the true principles of American liberty, or the true spirit of the constitution of the United States.

4. *Resolved*, That the liberty party has not been organized merely for the overthrow of slavery; its first decided effort must, indeed, be directed against slaveholding as the grossest and most revolting manifestation of despotism, but it will also carry out the principle of equal rights into all its practical consequences and applications, and support every just measure conducive to individual and social freedom.

5. *Resolved*, That the liberty party is not a sectional party, but a national party; was not originated in a desire to accomplish a single object, but in a comprehensive regard to the great interests of the whole country; is not a new party, nor a third party, but it is the party of 1776, reviving the principles of that memorable era, and striving to carry them into practical application.

6. *Resolved*, That it was understood in the times of the declaration and the constitution, that the existence of slavery in some of the states was in derogation of the principles of American liberty, and a deep stain upon the character of the country, and the implied faith of the states and the nation was pledged that slavery should never be extended beyond its then existing limits, but should be gradually, and yet, at no distant day, wholly abolished by state authority.

7. *Resolved*, That the faith of the states and the nation thus pledged, was most nobly redeemed by the voluntary abolition of slavery in several of the states, and by the adoption of the ordinance of 1787, for the government of the territory northwest of the river Ohio, then the only territory in the United States, and, consequently, the only territory subject, in this respect, to the control of Congress, by which ordinance slavery was forever excluded from the vast regions which now compose the states of Ohio, Indiana, Illinois, Michigan, and the territory of Wisconsin, and an incapacity to bear up any other than freemen was impressed on the soil itself.

8. *Resolved*, That the faith of the states and nation thus pledged, has been shamefully violated by the omission, on the part of many of the states, to take any measures whatever for the abolition of slavery within their respective limits; by the continuance of slavery in the District of Columbia, and in the territories of Louisiana and Florida; by the legislation of Congress; by the protection afforded by national legislation and negotiation to slaveholding in American vessels, on the high seas, em-

ployed in the coastwise slave traffic; and by the extension of slavery far beyond its original limits, by acts of Congress admitting new slave states into the Union.

9. *Resolved*, That the fundamental truths of the declaration of independence, that all men are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness, was made the fundamental law of our national government, by that amendment of the constitution which declares that no person shall be deprived of life, liberty, or property, without due process of law.

10. *Resolved*, That we recognize as sound the doctrine maintained by slaveholding jurists, that slavery is against natural rights, and strictly local, and that its existence and continuance rests on no other support than state legislation, and not on any authority of Congress.

11. *Resolved*, That the general government has, under the constitution, no power to establish or continue slavery anywhere, and therefore that all treaties and acts of Congress establishing, continuing or favoring slavery in the District of Columbia, in the territory of Florida, or on the high seas, are unconstitutional, and all attempts to hold men as property within the limits of exclusive national jurisdiction ought to be prohibited by law.

12. *Resolved*, That the provision of the constitution of the United States which confers extraordinary political powers on the owners of slaves, and thereby constituting the two hundred and fifty thousand slaveholders in the slave states a privileged aristocracy; and the provision for the reclamation of fugitive slaves from service, are anti-republican in their character, dangerous to the liberties of the people, and ought to be abrogated.

13. *Resolved*, That the practical operation of the second of these provisions, is seen in the enactment of the act of Congress respecting persons escaping from their masters, which act, if the construction given to it by the Supreme Court of the United States in the case of *Prigg vs. Pennsylvania* be correct, nullifies the habeas corpus acts of all the states, takes away the whole legal security of personal freedom, and ought, therefore, to be immediately repealed.

14. *Resolved*, That the peculiar patronage and support hitherto extended to slavery and slaveholding, by the general government, ought to be immediately withdrawn, and the example and influence of national authority ought to be arrayed on the side of liberty and free labor.

15. *Resolved*, That the practice of the general government, which prevails in the slave states, of employing slaves upon the public works, instead of free laborers, and paying aristocratic masters, with a view to secure or reward political services, is utterly indefensible and ought to be abandoned.

16. *Resolved*, That freedom of speech and of the press, and the right of petition, and the right of trial by jury, are sacred and inviolable; and that all rules, regulations and laws, in derogation of either, are oppressive, unconstitutional, and not to be endured by a free people.

17. *Resolved*, That we regard voting, in an eminent degree, as a moral and religious duty, which, when exercised, should be by voting for those who will do all in their power for immediate emancipation.

18. *Resolved*, That this convention recommend to the friends of liberty in all those free states where any inequality of rights and privileges exists on account of color, to employ their utmost energies to remove all such remnants and effects of the slave system.

*Whereas*, The constitution of these United States is a series of agreements, covenants or contracts between the people of the United States, each with all, and all with each; and,

*Whereas*, It is a principle of universal morality, that the moral laws of the Creator are paramount to all human laws; or, in the language of an Apostle, that "we ought to obey God rather than men;" and,

*Whereas*, The principle of common law—that any contract, covenant, or agreement, to do an act derogatory to natural right, is vitiated and annulled by its inherent immorality—has been recognized by one of the justices of the Supreme Court of the United States, who in a recent case expressly holds that "any contract that rests upon such a basis is void;" and,

*Whereas*, The third clause of the second section of the fourth article of the constitution of the United States, when construed as providing for the surrender of a fugitive slave, does "rest upon such a basis," in that it is a contract to rob a man of a natural right—namely, his natural right to his own liberty—and is therefore absolutely void. Therefore,

19. *Resolved*, That we hereby give it to be distinctly understood by this nation and the world, that, as abolitionists, considering that the strength of our cause lies in its righteousness, and our hope for it in our conformity to the laws of God, and our respect for the rights of man, we owe it to the Sovereign Ruler of the universe, as a proof of our allegiance to him, in all our civil relations and offices, whether as private citizens, or public functionaries, sworn to support the constitution of the United States, to regard and to treat the third clause of the fourth article of that instrument, whenever applied to the case of a fugitive slave, as utterly null and void, and, consequently, as forming no part of the constitution of the United States, whenever we are called upon or sworn to support it.

20. *Resolved*, That the power given to Congress by the constitution, to provide for calling out the militia to suppress insurrection, does not make it the duty of the government to maintain slavery by military force, much less does it make it the duty of the citizens to form a part of such military

force; when freemen unsheathe the sword it should be to strike for liberty, not for despotism.

21. *Resolved*, That to preserve the peace of the citizens, and secure the blessings of freedom, the legislature of each of the free states ought to keep in force suitable statutes, rendering it penal for any of its inhabitants to transport, or aid in transporting from such state, any person sought to be thus transported, merely because subject to the slave laws of any other state; this remnant of independence being accorded to the free states by the decision of the supreme court, in the case of *Prigg v. The State of Pennsylvania*.

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#### 1844.—WHIG PLATFORM,

*Baltimore, May 1.*

1. *Resolved*, That these principles may be summed as comprising a well-regulated national currency; a tariff for revenue to defray the necessary expenses of the government, and discriminating with special reference to the protection of the domestic labor of the country; the distribution of the proceeds from the sales of the public lands; a single term for the Presidency; a reform of executive usurpations; and generally such an administration of the affairs of the country as shall impart to every branch of the public service the greatest practical efficiency, controlled by a well-regulated and wise economy.

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#### 1844.—DEMOCRATIC PLATFORM,

*Baltimore, May 27.*

Resolutions 1, 2, 3, 4, 5, 6, 7, 8 and 9, of the platform of 1840, were re-affirmed, to which were added the following:

10. *Resolved*, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution, and that we are opposed to the laws lately adopted, and to any law for the distribution of such proceeds among the states, as alike inexpedient in policy and repugnant to the constitution.

11. *Resolved*, That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities, amply sufficient to guard the public interest, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has thrice saved the American people from the corrupt and tyrannical domination of the bank of the United States.

12. *Resolved*, That our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power, and that the re-occupation of Oregon and the re-annexation of Texas at the earliest practicable period, are great American measures, which this convention recommends to the cordial support of the democracy of the Union.



## CHAPTER XIV.

## POLK'S ADMINISTRATION.

1845-1849.

## POLK'S INAUGURAL ADDRESS.

The President, in a somewhat lengthy inaugural, set forth his views, which were substantially in accordance with the platform of his party. He discountenanced any interference with slavery, and thought that any attempt to destroy this "domestic institution" would be fraught with most "ruinous and disastrous" consequences.

As to the Texas question, he stated that its adjustment was probable, and declared it to be a matter which exclusively concerned Texas and the United States. He thought the legal claim of our government to Oregon was "clear and unquestionable," and promised to maintain this right by all constitutional means. The President opposed a national bank; was entirely silent on the question of internal improvements; and rather diffuse on the vital question of the tariff. The principle that the spoils belong to the victors, which had come down from Jackson and had been accepted by the whigs, was adhered to by the new administration.

## ANNEXATION OF TEXAS.

In accordance with the resolution passed by the last session of Congress, Texas accepted annexation, both by her own Congress and by a popular convention. Mexico offered a formal protest merely, and discontinued diplomatic relations with the United States. She offered to acknowledge the independence of Texas, however, if that state would maintain

a separate existence. The proposals of the two powers, the United States and Mexico, respectively, were laid before the Texas Congress, which convened on the 16th of June, 1845, and on July 4 they completed the act of annexation in accordance with the terms proposed by the American Congress. At the instance of Texas, the President sent an army under General Taylor into the newly acquired territory.

Congress met December 1, 1845, the democrats having a **Twenty-ninth Congress**, } jority in both houses. John W. Da-  
First Session. } vis, of Indiana, was chosen speaker.  
On the 29th of December Texas became a state of the Union, and on the 31st an act was passed extending the revenue system of the United States over the doubtful territory of the Nueces river and the Rio Grande.

#### WAR WITH MEXICO.

Thus far Mexico had not offered any actual resistance to the proceedings of the American government. In March, 1846, hostilities were induced by an order from the President advancing General Taylor from the Nueces to the Rio Grande, for the purpose of occupying the debatable territory. In carrying out this order the army was brought into contact with Mexican troops. The first engagement was at Palo Alto, and resulted in a Mexican defeat. General Taylor drove the enemy across the Rio Grande. May 11, 1846, the President sent a special message to Congress, announcing that a state of war existed between us and Mexico by the act of the latter, and, after detailing the preliminary skirmishes, declared that the blood of American citizens had been shed on American soil by Mexican troops, and asked for a declaration of war. The whigs looked upon the action of the President, in sending troops into the disputed territory, as one intended to provoke hostilities. And when a bill was introduced recognizing the existence of war, and appropriating \$10,000,000 for

its prosecution, they voted for it under protest, doing so only because the army had been forced into a perilous situation and must be rescued.

#### WILMOT PROVISIO.

While hostilities were pending, the President sent a message to Congress, August 8, asking for money with which to negotiate a peace and purchase a section of Mexican territory, provided he should find such accession expedient or desirable. A bill was accordingly introduced in the House of Representatives appropriating \$2,000,000 for this purpose. This at once brought up the slavery question, and David Wilmot moved a proviso to the bill prohibiting slavery in the territory that should be acquired. This provision, after the name of its originator, was called the WILMOT PROVISIO. This was supported by the whigs and northern democrats, but failed to become a law, having been passed by the House, and sent to the Senate too late for action. Those of the dominant party who supported it were called Wilmot proviso democrats.

#### THE SUB-TREASURY.

An act was passed re-establishing the sub-treasury, which had been done away with in 1842. This now became a permanent institution of the country, and agitation on the subject was henceforth closed.

#### TARIFF.

During this session the tariff of 1842 was repealed, and there was substituted for it an act known as the Tariff of 1846. This act was in accordance with the strict constructionist theory, imposing a tariff for revenue only, without regard to protection.

#### INTERNAL IMPROVEMENTS.

It has already been noted that in the platform to which

Mr. Polk was pledged there was a resolution disapproving appropriations by Congress for internal improvements. The friends of this doctrine, however, received a little encouragement from Mr. Polk's first message, in which he, speaking of "the state of our defenses, and the condition of our public works," refers for information "to the accompanying report of the secretary of war," in which the system of internal improvements was ardently indorsed. Thus encouraged, a bill was presented appropriating money for the improvement of certain rivers and harbors. After a lengthy discussion it passed both houses, but was vetoed by the President on the ground that the constitution did not, in his judgment, confer upon the federal government the power to construct works of internal improvements within the states, or to appropriate money from the treasury for that purpose. The public, and a majority of Congress, did not agree with the President on the subject. The views of the former were expressed in conventions, and those of the latter by resolutions favoring the system.

#### OREGON.

During this session, also, came up the disputed question of the northern boundary of Oregon, which, for a time, threatened to involve us in a war with England. It will be remembered that the Baltimore platform had declared the right of the United States to "all Oregon" to be unquestionable. In his inaugural address the President had omitted the "all," but expressed a determination to defend our claims to that territory by all just means within his power. The phrase, "all Oregon," was understood to mean the territory up to the line of  $54^{\circ}, 40'$ , north latitude; hence the war-cry "fifty-four, forty or fight," used by those urging this claim. This question, in a vague and indefinite form, had existed for a long time. Both countries based their claims upon priority of discovery. By the treaties of 1803 with France, and 1819

with Spain, the United States acquired from those powers all their rights north of California on the Pacific coast. The northern boundary of the territory thus ceded was unsettled. Our government claimed that it was  $54^{\circ}, 40'$  north latitude, while England claimed that it followed the Columbia river. The latter claim was based upon the discoveries of Sir Francis Drake, on the north-west coast of America, in 1578 and 1579. Under the Florida treaty the United States claimed to be the heirs of the Spanish dominion north of  $40^{\circ}$  north latitude, and relied upon the earlier discovery of the coast by Ferrelo, in 1543, as well as the whole line of Spanish discoverers up to 1775. They denied that Drake had penetrated as far north as  $48^{\circ}$ , but only to  $43^{\circ}$ , the point reached by Ferrelo. In their own direct right the United States could lay claim to the valley of the Columbia river, but could go no higher up. This river was discovered by Robert Gray, of Boston, May 11, 1792, who sailed up the stream quite a distance, and gave it its name. This very just claim to the Columbia region was supported, also, by the fact that in the Louisiana treaty the United States had become the heirs of France upon the North American continent. As such they appealed to the treaty of Utrecht, one article of which declared that the boundary between the English and French possessions in America should be settled by commissioners; and these commissioners, it was claimed, had agreed upon the forty-ninth degree of north latitude. Before the discovery of the Columbia, England was indifferent to the line of Utrecht. Now, however, as the mouth of this river lay some three degrees south of this line, England denied that this division held good. The question was finally settled by a treaty with England, June 15, 1846, by which the United States abandoned the claim of  $54^{\circ}, 40'$ , and accepted the line of  $49^{\circ}$  north latitude as the northern boundary. A motion to organize this territory, with the Wilmot proviso attached, was passed

by the House, but was not acted on by the Senate. Congress adjourned August 13, 1846.

Congress met December 7, 1846. The President, in his **Twenty-ninth Congress, } message, announced that the Amer-  
Second Session. } ican arms were meeting with con-**  
tinued success in Mexico, and urged that the Rio Grande be considered the western boundary of Texas. Most of the time of this session was taken up in discussing and passing measures necessary for the prosecution of the war. The House passed a bill, with the Wilmot proviso attached, appropriating \$3,000,000 for the purchase of territory from Mexico. The Senate passed the bill, but threw off the proviso. Finally, after great opposition on the part of the whigs, the House passed the bill as it came from the Senate. A river and harbor improvement bill was also passed, but being so near the end of the session the President disposed of it by a "pocket veto." Congress adjourned March 3, 1847.

Congress met December 6, 1847, the democrats having a **Thirtieth Congress, } majority in the Senate and the whigs in  
First Session. } the House.** Robert C. Winthrop, a whig from Massachusetts, was elected speaker. The subject of internal improvements had become an engrossing one, and the public mind began to be awakened on the subject. A resolution "that the general government have the power to construct such harbors and improve such rivers as are necessary and proper for the protection of our navy and our commerce, and also for the defense of our country," passed the House by a large majority.

#### PEACE WITH MEXICO.

Peace was concluded between the United States and Mexico in February, 1848. By the terms of this peace the Rio Grande was established as the boundary, and New Mexico and Upper California were ceded to the United States, thus securing to her a large amount of territory. In return, she

was to pay to Mexico 15,000,000 of dollars and discharge certain deferred claims of our citizens against that country.

The direct cost of the war with Mexico was estimated at about \$130,000,000. The Senate passed a bill establishing territorial governments in Oregon, New Mexico, and California, with a provision which referred all questions concerning slavery in those territories to the Supreme Court of the United States for decision. This bill was lost in the House. The House then passed a bill to organize the territory of Oregon without slavery. The Senate passed this, but with it an amendment declaring that the Missouri compromise line extended to the Pacific Ocean. The House rejected this amendment, and the Senate withdrawing it, the bill passed. Congress adjourned August 14, 1848.

#### LIBERTY LEAGUE.

The members of the liberty party did not always act in harmony. In 1845, a state convention of men belonging to the liberty party was held at Port Byron, New York. An address was printed, though not adopted, containing sentiments which met with the approval of many of the liberty party. Again, in 1847, they held a convention at Macedon, New York, and nominated a presidential ticket consisting of Gerrit Smith and Elihu Burritt, separated entirely from their party and took the name of liberty league. They maintained that slavery was unconstitutional, and had for their motto, "Duty is ours, results are God's." (Plate VI.)

#### NOMINATIONS FOR THE CANVASS OF 1848.

The first to put a ticket in the field was the liberty party, which, in national convention at Buffalo, nominated John P. Hale and Leicester King. The liberty league, together with dissatisfied members of the liberty party, met at Auburn, New York, in January, 1848, and renominated the ticket made at

Macedon, except that Mr. Burritt having resigned, C. C. Foote was selected in his stead, as a candidate for Vice-President. The league was so radical and extreme in its views that it did not develop any popular strength. On the 22d of May, 1848, occurred the democratic national convention, at Baltimore. Two delegations appeared from New York, the hunkers (for Dickenson), and the barnburners (for Van Buren). After an exciting debate both factions were admitted, with power to cast jointly the vote of the state. The decision being unsatisfactory the former refused to participate in the proceedings, and the latter withdrew under protest. The strict constructionists adopted the platform of 1840 and 1844, and nominated Lewis Cass, of Michigan, and William O. Butler, of Kentucky. This ticket proved acceptable to the hunkers who, during the year, were merged into the regular democratic ranks. The convention voted down, by a large majority, a resolution that Congress had no power to interfere with slavery, either in the states or in the territories.

The whig national convention, held at Philadelphia, June 7, 1848, nominated General Zachary Taylor, of Louisiana, and Millard Fillmore, of New York. Owing to conflicting opinions on the slavery question no platform was adopted, and resolutions affirming the Wilmot proviso as a party principle were voted down; so that in this campaign the whigs were not an anti-slavery party, nor were the democrats a pro-slavery party.

On the 9th of June a ratification meeting was held in the same city, and seven resolutions were agreed upon, all commendatory of Gen. Taylor. The slavery question was left unmentioned.

#### FREE SOIL PARTY.

The "hunkers" wished to leave the slavery question in abeyance, and the "barnburners," or free soil democrats were



opposed to any further extension of slavery in the territories. When the latter retired from the convention at Baltimore, they issued a call for a state convention to be held at Utica. On the 22d of June the convention nominated Martin Van Buren, of New York, and Henry Dodge, of Wisconsin. They issued a call for all those opposed to the extension of slavery to meet in national convention at Buffalo, on the 9th of August.

At the appointed time delegates convened from a few of the slave states and from most all the free states. The old liberty party withdrew their candidates and joined in with this movement. Thus was organized a new party, under the title of "free soil," a name taken from a resolution in the platform of principles. Martin Van Buren and Charles Francis Adams were chosen as candidates, General Dodge having resigned.

The free soilers received considerable strength also from the regular democratic party on account of the support given by southern democrats to the effort to establish slavery in the territory of Texas. (Plate VI.)

#### THE PRESIDENTIAL ELECTION.

The canvass of 1848 showed that neither the democrats nor the whigs were satisfied with the position of their candidates on the slavery question. Cass was distrusted by the former, and Taylor by the latter. The whig candidates were elected, having received one hundred and sixty-three votes against one hundred and twenty-seven cast for Cass and Butler.

Congress met December 5, 1848. The northern democrats Thirtieth Congress, } during this session voted for every Second Session. } measure aimed at slavery, in revenge for a supposed betrayal by the southern democrats in the presidential election. A bill to organize the territories of

New Mexico and California, with the Wilmot proviso, was passed by the House, but refused a consideration in the Senate. A resolution was then passed by the House, condemning the sale of slaves in Washington; this aroused great indignation on the part of southern members. When it came to the general appropriation bill for the government expenses, the Senate passed it with what is known as a "rider," organizing the territories of New Mexico and California, allowing slavery. The House refused to pass it, and substituted for its rider a provision that until July 4, 1850, the existing Mexican laws of those territories should remain in force. This would leave the new territories free. The Senate finally concurred. A river and harbor bill was passed by the House, but was not acted on by the Senate. Congress adjourned March 3, 1849, and on March 5 Taylor and Fillmore took the oath of office.

## POLK'S ADMINISTRATION.

Mr. Polk's administration was governed by, and faithful to, the interests of the slave power. He regarded this power as the real government of the country. "He labored assiduously to enrich its treasury and augment its power." As a return, he expected a renomination, but in this he was disappointed.

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## EXECUTIVE OFFICERS OF POLK'S ADMINISTRATION.

James K. Polk.....	President.....	1845-1849
George M. Dallas.....	Vice-President .....	1845-1849

## CABINET.

James Buchanan .....	Secretary of State.....	1845-1849
Robert J. Walker.....	Secretary of Treasury .....	1845-1849
William L. Marcy .....	Secretary of War. ....	1845-1849
George Bancroft.....	Secretary of the Navy.....	1845-1846
John Y. Mason.....	“ “ “ .....	1846-1849
Cave Johnson .....	Postmaster-General .....	1845-1849
John Y. Mason.....	Attorney-General .....	1845-1846
Nathan Clifford .....	“ “ .....	1846-1848
Isaac Toucey.....	“ “ .....	1848-1849

## JUDICIAL OFFICERS.

Roger B. Taney.....	Chief Justice.....	1836-1864
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## LEGISLATIVE OFFICERS.

John W. Davis.....	Speaker of House.....	1845-1847
Robert C. Winthrop.....	“ “ .....	1847-1849

## 1848.—DEMOCRATIC PLATFORM,

*Baltimore, May 22.*

1. *Resolved*, That the American democracy place their trust in the intelligence, the patriotism, and the discriminating justice of the American people.

2. *Resolved*, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world, as the great moral element in a form of government springing from and upheld by the popular will; and contrast it with the creed and practice of federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

3. *Resolved*, Therefore, that entertaining these views, the democratic party of this Union, through the delegates assembled in general convention of the states, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow citizens for the rectitude of their intentions, renew and reassert before the American people, the declaration of principles avowed by them on a former occasion, when, in general convention, they presented their candidates for the popular suffrage.

Resolutions 1, 2, 3 and 4, of the platform of 1840, were reaffirmed.

8. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and for the gradual but certain extinction of the debt created by the prosecution of a just and necessary war.

Resolution 5, of the platform of 1840, was enlarged by the following:

And that the results of democratic legislation, in this and all other financial measures, upon which issues have been made between the two political parties of the country, have demonstrated to careful and practical men of all parties, their soundness, safety and utility in all business pursuits.

Resolutions 7, 8 and 9, of the platform of 1840, were here inserted.

13. *Resolved*, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution; and that we are opposed to any law for the distribution of such proceeds among the states as alike inexpedient in policy and repugnant to the constitution.

14. *Resolved*, That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to sus-

pend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical domination of the bank of the United States, and from a corrupting system of general internal improvements.

15. *Resolved*, That the war with Mexico, provoked on her part by years of insult and injury, was commenced by her army crossing the Rio Grande, attacking the American troops, and invading our sister state of Texas, and upon all the principles of patriotism and the laws of nations, it is a just and necessary war on our part, in which every American citizen should have shown himself on the side of his country, and neither morally nor physically, by word or by deed, have given "aid and comfort to the enemy."

16. *Resolved*, That we would be rejoiced at the assurance of peace with Mexico, founded on the just principles of indemnity for the past and security for the future; but that while the ratification of the liberal treaty offered Mexico remains in doubt, it is the duty of the country to sustain the administration and to sustain the country in every measure necessary to provide for the vigorous prosecution of the war, should that treaty be rejected.

17. *Resolved*, That the officers and soldiers who have carried the arms of their country into Mexico, have crowned it with imperishable glory. Their unconquerable courage, their daring enterprise, their unfaltering perseverance and fortitude when assailed on all sides by innumerable foes, and that more formidable enemy—the diseases of the climate—exalt their devoted patriotism into the highest heroism, and give them a right to the profound gratitude of their country, and the admiration of the world.

18. *Resolved*, That the democratic national convention of thirty states, composing the American Republic, tender their fraternal congratulations to the national convention of the Republic of France, now assembled as the free suffrage representative of the sovereignty of thirty-five millions of republicans, to establish government on those eternal principles of equal rights, for which their La Fayette and our Washington fought side by side in the struggle for our national independence; and we would especially convey to them, and to the whole people of France, our earnest wishes for the consolidation of their liberties, through the wisdom that shall guide their councils, on the basis of a democratic constitution, not derived from the grants or concessions of kings or dynasties, but originating from the only true source of political power recognized in the states of this Union—the inherent and inalienable right of the people, in their sov-

ereign capacity, to make and to amend their forms of government in such manner as the welfare of the community may require.

19. *Resolved*, That in view of the recent development of this grand political truth, of the sovereignty of the people and their capacity and power for self-government, which is prostrating thrones and erecting republics on the ruins of despotism in the old world, we feel that a high and sacred duty is devolved, with increased responsibility, upon the democratic party of this country, as the party of the people, to sustain and advance among us constitutional liberty, equality, and fraternity, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution, which are broad enough and strong enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be in the full expansion of the energies and capacity of this great and progressive people.

20. *Resolved*, That a copy of these resolutions be forwarded, through the American minister at Paris, to the National Convention of the Republic of France.

21. *Resolved*, That the fruits of the great political triumph of 1844, which elected James K. Polk and George M. Dallas, President and Vice-President of the United States, have fulfilled the hopes of the democracy of the Union in defeating the declared purposes of their opponents in creating a national bank; in preventing the corrupt and unconstitutional distribution of the land proceeds from the common treasury of the Union for local purposes; in protecting the currency and labor of the country from ruinous fluctuations, and guarding the money of the country for the use of the people by the establishment of the constitutional treasury; in the noble impulse given to the cause of free trade by the repeal of the tariff of '42, and the creation of the more equal, honest, and productive tariff of 1846; and that, in our opinion, it would be a fatal error to weaken the bands of a political organization by which these great reforms have been achieved, and risk them in the hands of their known adversaries, with whatever delusive appeals they may solicit our surrender of that vigilance which is the only safeguard of liberty.

22. *Resolved*, That the confidence of the democracy of the Union in the principles, capacity, firmness, and integrity of James K. Polk, manifested by his nomination and election in 1844, has been signally justified by the strictness of his adherence to sound democratic doctrines, by the purity of purpose, the energy and ability, which have characterized his administration in all our affairs at home and abroad; that we tender to him our cordial congratulations upon the brilliant success which has hitherto crowned his patriotic efforts, and assure him in advance, that at the expiration of

his presidential term he will carry with him to his retirement the esteem, respect, and admiration of a grateful country.

23. *Resolved*, That this convention hereby present to the people of the United States Lewis Cass, of Michigan, as the candidate of the Democratic party for the office of President, and William O. Butler, of Kentucky, for Vice-President of the United States.

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1848.—WHIG PRINCIPLES ADOPTED AT A RATIFICATION  
MEETING,

*Philadelphia, June 9.*

1. *Resolved*, That the whigs of the United States, here assembled by their representatives, heartily ratify the nominations of General Zachary Taylor as President, and Millard Fillmore as Vice-President, of the United States, and pledge themselves to their support.

2. *Resolved*, That in the choice of General Taylor as the whig candidate for President, we are glad to discover sympathy with a great popular sentiment throughout the nation—a sentiment which, having its origin in admiration of great military success, has been strengthened by the development, in every action and every word, of sound conservative opinions, and of true fidelity to the great example of former days, and to the principles of the constitution as administered by its founders.

3. *Resolved*, That General Taylor, in saying that, had he voted in 1844, he would have voted the whig ticket, gives us the assurance—and no better is needed from a consistent and truth-speaking man—that his heart was with us at the crisis of our political destiny, when Henry Clay was our candidate, and when not only whig principles were well defined and clearly asserted, but whig measures depended on success. The heart that was with us then is with us now, and we have a soldier's word of honor, and a life of public and private virtue, as the security.

4. *Resolved*, That we look on General Taylor's administration of the government as one conducive of peace, prosperity and union; of peace, because no one better knows, or has greater reason to deplore, what he has seen sadly on the field of victory, the horrors of war, and especially of a foreign and aggressive war; of prosperity, now more than ever needed to relieve the nation from a burden of debt, and restore industry—agricultural, manufacturing, and commercial—to its accustomed and peaceful functions and influences; of union, because we have a candidate whose very position as a southwestern man, reared on the banks of the great stream whose tributaries, natural and artificial, embrace the whole Union, renders the protection of the interests of the whole country his first trust, and whose various duties in past life have been rendered, not on the soil, or under the flag

of any state or section, but over the wide frontier and under the broad banner of the nation.

5. *Resolved*, That standing, as the whig party does, on the broad and firm platform of the constitution, braced up by all its inviolable and sacred guarantees and compromises, and cherished in the affections, because protective of the interests of the people, we are proud to have as the exponent of our opinions one who is pledged to construe it by the wise and generous rules which Washington applied to it, and who has said—and no whig desires any other assurance—that he will make Washington's administration his model.

6. *Resolved*, That, as whigs and Americans, we are proud to acknowledge our gratitude for the great military services which, beginning at Palo Alto, and ending at Buena Vista, first awakened the American people to a just estimate of him who is now our whig candidate. In the discharge of a painful duty—for his march into the enemy's country was a reluctant one; in the command of regulars at one time, and volunteers at another, and of both combined; in the decisive though punctual discipline of his camp, where all respected and loved him; in the negotiation of terms for a dejected and desperate enemy; in the exigency of actual conflict when the balance was perilously doubtful—we have found him the same—brave, distinguished, and considerate, no heartless spectator of bloodshed, no trifler with human life or human happiness; and we do not know which to admire most, his heroism in withstanding the assaults of the enemy in the most hopeless fields of Buena Vista—mourning in generous sorrow over the graves of Ringgold, of Clay, of Hardin—or in giving, in the heat of battle, terms of merciful capitulation to a vanquished foe at Monterey, and not being ashamed to avow that he did it to spare women and children, helpless infancy and more helpless age, against whom no American soldier ever wars. Such a military man, whose triumphs are neither remote nor doubtful, whose virtues these trials have tested, we are proud to make our candidate.

7. *Resolved*, That in support of this nomination, we ask our whig friends throughout the nation to unite, to co-operate zealously, resolutely, with earnestness, in behalf of our candidate, whom calumny can not reach, and with respectful demeanor to our adversaries, whose candidates have yet to prove their claims on the gratitude of the nation.

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#### 1848.—BUFFALO PLATFORM,

*Utica, June 22.*

*Whereas*, We have assembled in convention as a union of freemen, for the sake of freedom, forgetting all past political difference, in a common re-



solve to maintain the rights of free labor against the aggression of the slave power, and to secure free soil to a free people; and,

*Whereas*, The political conventions recently assembled at Baltimore and Philadelphia—the one stifling the voice of a great constituency, entitled to be heard in its deliberations, and the other abandoning its distinctive principles for mere availability—have dissolved the national party organization heretofore existing, by nominating for the chief magistracy of the United States, under the slaveholding dictation, candidates, neither of whom can be supported by the opponents of slavery extension, without a sacrifice of consistency, duty, and self-respect; and,

*Whereas*, These nominations so made, furnish the occasion, and demonstrate the necessity of the union of the people under the banner of free democracy, in a solemn and formal declaration of their independence of the slave power, and of their fixed determination to rescue the federal government from its control;

1. *Resolved, therefore*, That we, the people here assembled, remembering the example of our fathers in the days of the first declaration of independence, putting our trust in God for the triumph of our cause, and invoking his guidance in our endeavors to advance it, do now plant ourselves upon the national platform of freedom, in opposition to the sectional platform of slavery.

2. *Resolved*, That slavery in the several states of this Union which recognize its existence, depends upon the state laws alone, which can not be repealed or modified by the federal government, and for which laws that government is not responsible. We therefore propose no interference by Congress with slavery within the limits of any state.

3. *Resolved*, That the proviso of Jefferson, to prohibit the existence of slavery, after 1800, in all the territories of the United States, southern and northern; the votes of six states and sixteen delegates in Congress of 1784, for the proviso, to three states and seven delegates against it; the actual exclusion of slavery from the northwestern territory, by the ordinance of 1787, unanimously adopted by the states in Congress; and the entire history of that period, clearly show that it was the settled policy of the nation not to extend, nationalize or encourage, but to limit, localize, and discourage, slavery; and to this policy, which should never have been departed from, the government ought to return.

4. *Resolved*, That our fathers ordained the constitution of the United States, in order, among other great national objects, to establish justice, promote the general welfare, and secure the blessings of liberty; but expressly denied to the federal government, which they created, all constitutional power to deprive any person of life, liberty, or property, without due legal process.

5. *Resolved*, That in the judgment of this convention, Congress has no more power to make a slave than to make a king; no more power to institute or establish slavery than to institute or establish a monarchy; no such power can be found among those specifically conferred by the constitution, or derived by just implication from them.

6. *Resolved*, That it is the duty of the federal government to relieve itself from all responsibility for the existence or continuance of slavery wherever the government possesses constitutional power to legislate on that subject, and it is thus responsible for its existence.

7. *Resolved*, That the true, and, in the judgment of this convention, the only safe means of preventing the extension of slavery into territory now free, is to prohibit its extension in all such territory by an act of Congress.

8. *Resolved*, That we accept the issue which the slave power has forced upon us; and to their demand for more slave states, and more slave territory, our calm but final answer is, no more slave states and no more slave territory. Let the soil of our extensive domains be kept free for the hardy pioneers of our own land, and the oppressed and banished of other lands, seeking homes of comfort and fields of enterprise in the new world.

9. *Resolved*, That the bill lately reported by the committee of eight in the Senate of the United States, was no compromise, but an absolute surrender of the rights of the non-slaveholders of all the states; and while we rejoice to know that a measure which, while opening the door for the introduction of slavery into the territories now free, would also have opened the door to litigation and strife among the future inhabitants thereof, to the ruin of their peace and prosperity, was defeated in the House of Representatives, its passage, in hot haste, by a majority, embracing several senators who voted in open violation of the known will of their constituents, should warn the people to see to it that their representatives be not suffered to betray them. There must be no more compromises with slavery; if made, they must be repealed.

10. *Resolved*, That we demand freedom and established institutions for our brethren in Oregon, now exposed to hardships, peril, and massacre, by the reckless hostility of the slave power to the establishment of free government and free territories; and not only for them, but for our brethren in California and New Mexico.

11. *Resolved*, It is due not only to this occasion, but to the whole people of the United States, that we should also declare ourselves on certain other questions of national policy; therefore,

12. *Resolved*, That we demand cheap postage for the people; a retrenchment of the expenses and patronage of the federal government; the abolition of all unnecessary offices and salaries; and the election by the peo-

ple of all civil officers in the service of the government, so far as the same may be practicable.

13. *Resolved*, That river and harbor improvements, when demanded by the safety and convenience of commerce with foreign nations, or among the several states, are objects of national concern, and that it is the duty of Congress, in the exercise of its constitutional power, to provide therefor.

14. *Resolved*, That the free grant to actual settlers, in consideration of the expenses they incur in making settlements in the wilderness, which are usually fully equal to their actual cost, and of the public benefits resulting therefrom, of reasonable portions of the public lands, under suitable limitations, is a wise and just measure of public policy, which will promote in various ways the interests of all the states of this Union; and we, therefore, recommend it to the favorable consideration of the American people.

15. *Resolved*, That the obligations of honor and patriotism require the earliest practical payment of the national debt, and we are, therefore, in favor of such a tariff of duties as will raise revenue adequate to defray the expenses of the federal government, and to pay annual installments of our debt and the interest thereon.

16. *Resolved*, That we inscribe on our banner, "Free Soil, Free Speech, Free Labor, and Free Men," and under it we will fight on, and fight ever, until a triumphant victory shall reward our exertions.

## CHAPTER XV.

## TAYLOR AND FILLMORE'S ADMINISTRATIONS.

1849—1853.

## TAYLOR'S POLICY.

Taylor was not a partisan. He was a whig, but from the nature of his profession had not been much identified with the distinctive policy of the whig party. In taking upon himself the duties to which he had been called, he proposed to be the President of the country rather than his party. In answer to certain inquiries, prior to his election, the General professed an aversion to the frequent use of the veto power, believing that it should never be resorted to except in "cases of clear violation of the constitution, or manifest haste and want of consideration by Congress." Upon the subject of the tariff, the currency, the improvement of our great highways, rivers, lakes, and harbors, he thought the will of the people, as expressed through their representatives in Congress, ought to be respected, and carried out by the Executive. He rejoiced at the successful termination of the Mexican war, and declared that the principles of our government, as well as its true policy, are opposed to the subjugation of other nations and the dismemberment of other countries by conquest. In dictating terms of peace with Mexico he believed that, as our national honor had been amply vindicated, forbearance and magnanimity should be exercised. He determined to conduct his administration free from the influence of pro-slavery advocates, and appealed for support to certain statesmen who accorded with his views on the extension of slavery. Senator Seward responded and became the executive's confidential

advisor. The power of removal and appointment was exercised with care and deliberation, with a view to the efficiency of the government service rather than the advancement of party favorites.

#### SQUATTER SOVEREIGNTY.

Upon the accession of the pro-slavery whigs to power, there came into prominent existence the doctrine that the constitution gave Congress no power to interfere with slavery in territories, and that the people of each territory should allow or prohibit slavery as they pleased. This was called squatter sovereignty. By this doctrine, of course, the Missouri compromise of 1820, which prohibited slavery in the territories north of 36°, 30', was discarded. This was a strict constructionist theory, and the southern leaders of the democratic party espoused it in opposition to the doctrine of the Wilmot proviso, which forbade slavery in the new territory.

Congress met December 3, 1849; the democrats having a **Thirty-first Congress, } majority in the Senate, and the free First Session.** } soilers holding the balance of power between the other two parties in the House. After balloting a great number of times, Howell Cobb, of Georgia, a democrat and a slavery man, was chosen speaker. On the 24th, the President submitted his message. He suggested that the deficit in the treasury be supplied temporarily by loans, and permanently by an increase of tariff duties. The continuance or modification of the sub-treasury was left to the wisdom of Congress, while it was recommended that the people of the territories of California and New Mexico be left to take the initiatory steps for admission as states.

#### GOVERNMENT FOR THE MEXICAN CESSION.

In December, 1849, Congress began legislation for the establishment of government over the territory acquired from Mexico. The subject of slavery rendered the task a difficult

one. When several plans had been submitted without success, Mr. Clay, January 10, 1850, introduced eight resolutions as compromises for adjusting the entire controversy on slavery. These resolutions were: 1st. That California, with suitable boundaries, ought to be admitted, without restriction in respect to slavery; 2d. That as slavery was not likely to be introduced into any of the territory acquired from Mexico, appropriate governments ought to be established in the balance of the territory, without restriction in respect to slavery; 3d. That the western boundary of Texas should be so established as not to infringe on New Mexico; 4th. That the United States should assume and pay, upon certain conditions, the debt of Texas; 5th. That it was expedient to abolish slavery in the District of Columbia, without consent of the people and compensation to the owners of the slaves; 6th. That it was expedient to prohibit the slave trade therein; 7th. That further provision ought to be made for the reclamation and extradition of fugitive slaves; and 8th. That Congress possesses no power to prohibit traffic in slaves between the people of the slaveholding states.

#### OMNIBUS BILL.

Upon these propositions, separately and collectively, an earnest debate ensued, which continued some four months, when, April 17, a select committee of the Senate, headed by Mr. Clay, reported a bill consisting of thirty-nine sections, embodying most of the resolutions which had been discussed. From its all-comprehensive nature it was called the omnibus bill.

#### COMPROMISE MEASURES OF 1850.

The points comprehended in the omnibus bill were as follows: 1st. When new states formed out of Texas present themselves, it shall be the duty of Congress to admit them; 2d. The immediate admission of California, with the bound-

aries which she has proposed ; 3d. The establishment of territorial governments for Utah and New Mexico, without the Wilmot proviso ; 4th. The combination of points 2 and 3 in one bill ; 5th. The excission from Texas of all New Mexico, rendering therefor a pecuniary equivalent ; 6th. The enactment of a law for the effectual rendition of fugitive slaves escaping into the free states ; 7th. No interference with slavery in the District of Columbia, but the slave trade therein should be abolished, under heavy penalties. This bill was discussed until the last of July, and then passed by the Senate, but it had been so pruned by successive amendments that it contained only a provision for the organization of a territorial government for Utah. In this condition it was sent to the House. There, as a whole, the bill was rejected, but its main heads were passed in August as separate bills, and were designated the *compromise measures of 1850*, and, in their accepted shape, required : (1) Utah and New Mexico to be organized into territories, without reference to slavery ; (2) California to be admitted as a free state ; (3) \$10,000,000 to be paid to Texas for her claim to New Mexico ; (4) fugitive slaves to be returned to their masters ; and (5) the slave trade to be abolished in the District of Columbia. The compromises were received by the leaders of the two great parties as a final settlement of the vexed questions which had so long troubled Congress and agitated the country, but the storm was only temporarily allayed. In accordance with these measures California became a state of the Union September 9, 1850. The most important feature of this bill, in its bearing upon future struggles and conflicts, was the fugitive slave law, which was very stringent in its provisions. United States commissioners were directed and encouraged to surrender fugitive slaves without trial by jury, and such was the disgust and horror caused at the north by the diligent and often inhuman way in which this was carried out, that some north-

ern legislatures passed what were called personal liberty laws, for the protection of free negroes falsely alleged to be fugitive slaves. Congress adjourned September 30, 1850.

#### DEATH OF PRESIDENT TAYLOR.

In the midst of the discussion of these topics occurred the death of the President, July 9, 1850, one year and four months after his inauguration. The beginning of his administration was auspicious for the country, and the people attested their affection very strongly for the chief magistrate in his death.

#### FILLMORE'S ACCESSION AND SECESSION.

Mr. Fillmore was inaugurated on the 10th of July, 1850. He departed from the policy of his predecessor, organized a new cabinet, used his influence in favor of the compromise measures, did not comply with the whig platform of his state, acted in opposition to his own political antecedents, and wished, it is thought, to form a compromise party, of which he should be the head. Though not in harmony with the whig party, he did not go so far as to enter the democratic ranks.

#### SILVER GRAY PARTY.

On the 26th of September, 1850, the whigs of the state of New York held a state convention at Syracuse, of which Francis Granger was chairman. After the nominations for state officers were made, the convention, as usual, proceeded to express the opinion of the party in New York upon public measures generally, and for this purpose the chair had appointed a committee on resolutions. As the convention proceeded to the consideration of the report of this committee, Mr. Cornwall moved to substitute, for those reported, a series of resolutions prepared by himself, among which was one de-



claring that W. H. Seward deserved the thanks of the convention for the fidelity with which he had sustained, in the Senate, the liberal and long-cherished principles of the whig party. Whereupon Mr. Duer, a member of Congress, and an adherent of the President, declared publicly that if the resolutions of Mr. Cornwall were adopted, the whig party of New York, from that moment, would be broken up, and that the future would determine where he and his friends would go. The convention adopted Mr. Cornwall's resolutions without a division, except on the Seward resolution, on which the vote "stood seventy-six for, to forty against." The delegates who opposed this resolution, among whom was the chairman, withdrew and convened in another building, where they appointed a convention of the President's friends, to meet at Utica on the 17th of October. Pursuant to this call the delegates met, separated from the whigs, and organized a party to which they gave the name of "silver gray." The party approved the compromise measures and the policy of the President, and assumed the responsibility of preserving the Union. This is the party, it was thought, which Mr. Fillmore wished to form when he ceased to act with the whigs. (Plate VI.)

Congress met December 2, 1850. The business of this session was merely routine, as the tariff, internal improvement, and national bank questions had temporarily disappeared, and neither party was ready to take a decided stand on the slavery question. Congress adjourned March 3, 1851.

Congress met December 1, 1854, the democrats having a majority in both houses. The increased democratic majority in the House showed that the compromise measures of 1850 were well received by the country. There was little contest this session, and the democratic majority, generally, supported the measures recommended by the administration. During this

session the country known as the Platte Country, now Kansas, applied for a territorial organization, but the application was not acted upon. Congress adjourned August 31, 1852.

#### THE AMERICAN PARTY.

The American party was organized in 1852, with the professed object of purifying the ballot-box, excluding from office those of foreign birth, and opposing the efforts to reject the Bible from the public schools. It operated secretly and with astonishing success. Its members were sworn to support the candidates put in nomination by the order. At first it selected candidates from all political parties. The organization was generally called the know-nothing party, because, when questioned concerning their order, the members answered that they knew nothing.

#### ELECTION OF 1852.

The democratic national convention was held at Baltimore, June 1, 1852. The two-thirds rule was again adopted, and on the 49th ballot Franklin Pierce, of New Hampshire, was nominated for President. William R. King, of Alabama, received the second place on the ticket. The strict constructionist platforms of preceding conventions were renewed, the Kentucky and Virginia resolutions of 1798 were indorsed, and the candidates were pledged to support the compromise measures of 1850, including the fugitive slave law: and the further agitation of the slavery question was denounced.

The whig national convention, also, met at Baltimore on the 16th of June. The candidates for nomination before this convention were President Fillmore, Daniel Webster, and General Scott. On the fifty-third ballot General Scott was nominated. William A. Graham, of North Carolina, was nominated for Vice-President. A cautiously-worded, loose con-

structionist platform was adopted, and the compromises of 1850, fugitive slave law included, were indorsed.

The free soil democratic convention met at Pittsburg, August 11. John P. Hale, of New Hampshire, was nominated for President, and George W. Julian, of Indiana, for Vice-President. The platform adopted declared slavery to be a sin against God, and a crime against man, and denounced the compromise of 1850, as well as those who supported it. Though they had little hope of securing any electoral votes, they thought that their principles might, in time, enter the other parties, and sever the connection between the government and slavery. The democrats were a unit upon their platform; most of those who had supported Van Buren in 1848 returned to the old party and voted for Pierce. Owing to the indifference with which their platform was supported, the whigs could not conduct a vigorous canvass. At the election they were badly beaten. Mr. Pierce received 254 electoral votes out of the 296 cast in the college of that year.

#### DISSOLUTION OF THE WHIG PARTY.

Before the canvass of 1852 the whigs had avoided making the question of slavery a political issue. The compromises contained many things offensive to the northern whigs, and when the party adopted these measures it became divided against itself, and hence lacked that cohesive power necessary for a vigorous campaign. This defeat proved its final overthrow, and the members of the party began to look elsewhere for political affiliations. (Plate VI.)

Congress met December 6, 1852. A bill was passed by **Thirty-second Congress,** } the House to organize the territory  
**Second Session.** } of Nebraska, with the same boundaries as those of the formerly proposed territory of the Platte. It failed to pass the Senate. This bill was opposed by southern members, who were preparing to make the claim that the

compromise of 1850 had superseded and rendered void that of 1820, abolishing the prohibition of slavery in the territory north of the Missouri compromise line of 36° 30' north latitude, and making it subject to the operation of squatter sovereignty. Congress adjourned March 3, 1853, and March 4 Pierce and King were sworn into office.

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### EXECUTIVE OFFICERS OF TAYLOR AND FILLMORE'S ADMINISTRATIONS.

Zachary Taylor.....President .....1849-1850

Millard Fillmore .....	Vice-President .....	1849-1850
Millard Fillmore .....	President .....	1850-1853
William R. King .....	Vice-President .....	1850-1853

## CABINET.

John M. Clayton .....	Secretary of State .....	1849-1850
Daniel Webster .....	" " .....	1850-1852
Edward Everett .....	" " .....	1852-1853
William M. Meredith .....	Secretary of Treasury .....	1849-1850
Thomas Corwin .....	" " " .....	1850-1853
George W. Crawford .....	Secretary of War .....	1849-1850
Charles M. Conrad .....	" " .....	1850-1853
William M. Preston .....	Secretary of Navy .....	1849-1850
William A. Graham .....	" " .....	1850-1852
John P. Kennedy .....	" " .....	1852-1853
Thomas Ewing .....	Secretary of the Interior .....	1849-1850
James A. Pearce .....	" " " .....	1850-1850
T. McKennon .....	" " " .....	1850-1850
Alex. H. H. Stuart .....	" " " .....	1850-1853
Jacob Collamer .....	Postmaster-General .....	1849-1850
Nathan K. Hall .....	" " .....	1850-1852
Samuel D. Hubbard .....	" " .....	1852-1853
R. Johnson .....	Attorney-General .....	1849-1850
J. J. Crittenden .....	" " .....	1850-1853

## JUDICIAL OFFICERS.

Roger B. Taney .....	Chief Justice .....	1836-1864
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## LEGISLATIVE OFFICERS.

Howell Cobb .....	Speaker of the House .....	1849-1851
Linn Boyd .....	" " .....	1851-1855

## 1852.—DEMOCRATIC PLATFORM,

*Baltimore, June 1.*

Resolutions 1, 2, 3, 4, 5, 6 and 7, of the platform of 1848, were reaffirmed, to which were added the following:

8. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs,

and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and for the gradual but certain extinction of the public debt.

9. *Resolved*, That Congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and that above the laws and the will of the people; and that the results of democratic legislation, in this and all other financial measures, upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties, their soundness, safety, and utility, in all business pursuits.

10. *Resolved*, That the separation of the moneys of the government from banking institutions is indispensable for the safety of the funds of the government and the rights of the people.

11. *Resolved*, That the liberal principles embodied by Jefferson in the declaration of independence, and sanctioned in the constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the privilege of becoming citizens and the owners of the soil among us, ought to be resisted with the same spirit that swept the alien and sedition laws from our statute book.

12. *Resolved*, That Congress has no power, under the constitution, to interfere with, or control, the domestic institutions of the several states, and that such states are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the constitution; that all efforts of the abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

13. *Resolved*, That the foregoing proposition covers, and is intended to embrace, the whole subject of slavery agitation in Congress; and therefore the democratic party of the Union, standing on this national platform, will abide by, and adhere to, a faithful execution of the acts known as the compromise measures, settled by the last Congress, "the act for reclaiming fugitives from service or labor" included; which act, being designed to carry out an express provision of the constitution, can not, with fidelity thereto, be repealed, nor so changed as to destroy or impair its efficiency.

14. *Resolved*, That the democratic party will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

[Here resolutions 13 and 14, of the platform of 1848, were inserted.]

17. *Resolved*, That the democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1792 and 1798, and in the report of Mr. Madison to the Virginia legislature in 1799; that it adopts those principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

18. *Resolved*, That the war with Mexico, upon all the principles of patriotism and the law of nations, was a just and necessary war on our part, in which no American citizen should have shown himself opposed to his country, and neither morally nor physically, by word or deed, given aid and comfort to the enemy.

19. *Resolved*, That we rejoice at the restoration of friendly relations with our sister Republic of Mexico, and earnestly desire for her all the blessings and prosperity which we enjoy under republican institutions, and we congratulate the American people on the results of that war which have so manifestly justified the policy and conduct of the democratic party, and insured to the United States indemnity for the past and security for the future.

20. *Resolved*, That, in view of the condition of popular institutions in the old world, a high and sacred duty is devolved, with increased responsibility, upon the democracy of this country, as the party of the people, to uphold and maintain the rights of every state, and thereby the union of states, and to sustain and advance among them constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution, which are broad enough and strong enough to embrace and uphold the Union as it is, and the Union as it should be, in the full expansion of the energies and capacity of this great and progressive people.

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#### 1852.—WHIG PLATFORM,

*Baltimore, June 16.*

The whigs of the United States, in convention assembled, adhering to the great conservative principles by which they are controlled and governed, and now as ever relying upon the intelligence of the American people, with an abiding confidence in their capacity for self-government and their devotion to the constitution and the Union, do proclaim the follow-

ing as the political sentiments and determination for the establishment and maintenance of which their national organization as a party was effected :

1. The government of the United States is of a limited character, and is confined to the exercise of powers expressly granted by the constitution, and such as may be necessary and proper for carrying the granted powers into full execution, and that powers not granted or necessarily implied are reserved to the states respectively and to the people.

2. The state governments should be held secure to their reserved rights, and the general government sustained in its constitutional powers, and that the Union should be revered and watched over as the palladium of our liberties.

3. That while struggling freedom everywhere enlists the warmest sympathy of the whig party, we still adhere to the doctrines of the father of his country, as announced in his farewell address, of keeping ourselves free from all entangling alliances with foreign countries, and of never quitting our own to stand upon foreign ground ; that our mission as a republic is not to propagate our opinions, or impose on other countries our forms of government, by artifice or force, but to teach by example, and show by our success, moderation, and justice, the blessings of self-government, and the advantages of free institutions.

4. That, as the people make and control the government, they should obey its constitution, laws, and treaties as they would retain their self-respect, and the respect which they claim and will enforce from foreign powers.

5. Governments should be conducted on the principles of the strictest economy ; and revenue sufficient for the expenses thereof, in time of peace, ought to be derived mainly from a duty on imports, and not from direct taxes ; and on laying such duties sound policy requires a just discrimination, and, when practicable, by specific duties, whereby suitable encouragement may be afforded to American industry, equally to all classes and to all portions of the country.

6. The constitution vests in Congress the power to open and repair harbors, and remove obstructions from navigable rivers, whenever such improvements are necessary for the common defense, and for the protection and facility of commerce with foreign nations or among the states, said improvements being in every instance national and general in their character.

7. The federal and state governments are parts of one system, alike necessary for the common prosperity, peace, and security, and ought to be regarded alike with a cordial, habitual, and immovable attachment. Respect for the authority of each, and acquiescence in the just constitutional



measures of each, are duties required by the plainest considerations of national, state, and individual welfare.

8. That the series of acts of the 32d Congress, the act known as the fugitive slave law included, are received and acquiesced in by the whig party of the United States as a settlement in principle and substance of the dangerous and exciting questions which they embrace; and, so far as they are concerned, we will maintain them, and insist upon their strict enforcement, until time and experience shall demonstrate the necessity of further legislation, to guard against the evasion of the laws on the one hand and the abuse of their powers on the other—not impairing their present efficiency; and we deprecate all further agitation of the question thus settled, as dangerous to our peace, and will discountenance all efforts to continue or renew such agitation, whenever, wherever, or however the attempt may be made; and we will maintain the system as essential to the nationality of the whig party, and the integrity of the Union.

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#### 1852.—FREE SOIL PLATFORM,

*Pittsburg, August 11.*

Having assembled in national convention as the democracy of the United States, united by a common resolve to maintain right against wrong, and freedom against slavery; confiding in the intelligence, patriotism, and discriminating justice of the American people; putting our trust in God for the triumph of our cause, and invoking his guidance in our endeavors to advance it, we now submit to the candid judgment of all men, the following declaration of principles and measures:

1. That governments, deriving their just powers from the consent of the governed, are instituted among men to secure to all those inalienable rights of life, liberty, and the pursuit of happiness, with which they are endowed by their creator, and of which none can be deprived by valid legislation, except for crime.

2. That the true mission of American democracy is to maintain the liberties of the people, the sovereignty of the states, and the perpetuity of the Union, by the impartial application to public affairs, without sectional discriminations, of the fundamental principles of human rights, strict justice, and an economical administration.

3. That the federal government is one of limited powers, derived solely from the constitution, and the grants of power therein ought to be strictly construed by all the departments and agents of the government, and it is inexpedient and dangerous to exercise doubtful constitutional powers.

4. That the constitution of the United States, ordained to form a more perfect Union, to establish justice, and secure the blessings of liberty,

expressly denies to the general government all power to deprive any person of life, liberty, or property, without due process of law; and, therefore, the government, having no more power to make a slave than to make a king, and no more power to establish slavery than to establish a monarchy, should at once proceed to relieve itself from all responsibility for the existence of slavery, wherever it possesses constitutional power to legislate for its extinction.

5. That, to the persevering and importunate demands of the slave power for more slave states, new slave territories, and the nationalization of slavery, our distinct and final answer is—no more slave states, no slave territory, no nationalized slavery, and no national legislation for the extradition of slaves.

6. That slavery is a sin against God, and a crime against man, which no human enactment nor usage can make right; and that Christianity, humanity, and patriotism alike demand its abolition.

7. That the fugitive slave act of 1850 is repugnant to the constitution, to the principles of the common law, to the spirit of Christianity, and to the sentiments of the civilized world; we, therefore, deny its binding force on the American people, and demand its immediate and total repeal.

8. That the doctrine that any human law is a finality, and not subject to modification or repeal, is not in accordance with the creed of the founders of our government, and is dangerous to the liberties of the people.

9. That the acts of Congress, known as the compromise measures of 1850, by making the admission of a sovereign state contingent upon the adoption of other measures demanded by the special interests of slavery; by their omission to guarantee freedom in the free territories; by their attempt to impose unconstitutional limitations on the powers of Congress and the people to admit new states; by their provisions for the assumption of five millions of the state debt of Texas, and for the payment of five millions more, and the cession of large territory to the same state under menace, as an inducement to the relinquishment of a groundless claim; and by their invasion of the sovereignty of the states and the liberties of the people, through the enactment of an unjust, oppressive, and unconstitutional fugitive slave law, are proved to be inconsistent with all the principles and maxims of democracy, and wholly inadequate to the settlement of the questions of which they are claimed to be an adjustment.

10. That no permanent settlement of the slavery question can be looked for except in the practical recognition of the truth that slavery is sectional and freedom national; by the total separation of the general government from slavery, and the exercise of its legitimate and constitutional influence on the side of freedom; and by leaving to the states the whole subject of slavery and the extradition of fugitives from service.

11. That all men have a natural right to a portion of the soil; and that as the use of the soil is indispensable to life, the right of all men to the soil is as sacred as their right to life itself.

12. That the public lands of the United States belong to the people, and should not be sold to individuals, nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers.

13. That due regard for the federal constitution, a sound administrative policy, demand that the funds of the general government be kept separate from banking institutions; that inland and ocean postage should be reduced to the lowest possible point; that no more revenue should be raised than is required to defray the strictly necessary expenses of the public service, and to pay off the public debt; and that the power and patronage of the government should be diminished by the abolition of all unnecessary offices, salaries, and privileges, and by the election by the people of all civil officers in the service of the United States, so far as may be consistent with the prompt and efficient transaction of the public business.

14. That river and harbor improvements, when necessary to the safety and convenience of commerce with foreign nations, or among the several states, are objects of national concern; and it is the duty of Congress, in the exercise of its constitutional powers, to provide for the same.

15. That emigrants and exiles from the old world should find a cordial welcome to homes of comfort and fields of enterprise in the new; and every attempt to abridge their privilege of becoming citizens and owners of soil among us ought to be resisted with inflexible determination.

16. That every nation has a clear right to alter or change its own government, and to administer its own concerns in such manner as may best secure the rights and promote the happiness of the people; and foreign interference with that right is a dangerous violation of the law of nations, against which all independent governments should protest, and endeavor by all proper means to prevent; and especially is it the duty of the American government, representing the chief republic of the world, to protest against, and by all proper means to prevent, the intervention of kings and emperors against nations seeking to establish for themselves republican or constitutional governments.

17. That the independence of Hayti ought to be recognized by our government, and our commercial relations with it placed on the footing of the most favored nations.

18. That as by the constitution, "the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states," the practice of imprisoning colored seamen of other states, while the vessels to which they belong lie in port, and refusing the exercise of the right

to bring such cases before the Supreme Court of the United States, to test the legality of such proceedings, is a flagrant violation of the constitution, and an invasion of the rights of the citizens of other states, utterly inconsistent with the professions made by the slaveholders, that they wish the provisions of the constitution faithfully observed by every state in the Union.

19. That we recommend the introduction into all treaties hereafter to be negotiated between the United States and foreign nations, of some provision for the amicable settlement of difficulties by a resort to decisive arbitrations.

20. That the free democratic party is not organized to aid either the whig or democratic wing of the great slave compromise party of the nation, but to defeat them both; and that repudiating and renouncing both as hopelessly corrupt and utterly unworthy of confidence, the purpose of the free democracy is to take possession of the federal government and administer it for the better protection of the rights and interests of the whole people.

21. That we inscribe on our banner Free Soil, Free Speech, Free Labor, and Free Men, and under it will fight on and fight ever, until a triumphant victory shall reward our exertions.

22. That upon this platform, the convention presents to the American people, as a candidate for the office of President of the United States, John P. Hale, of New Hampshire, and as a candidate for the office of Vice-President of the United States, George W. Julian, of Indiana, and earnestly commend them to the support of all freemen and all parties.

## CHAPTER XVI.

## PIERCE'S ADMINISTRATION.

1853—1857.

## THE PRESIDENT'S POLITICAL VIEWS.

Mr. Pierce held that negro slavery, in those states where it existed, was recognized by the constitution; that it stood on an equal footing with any other admitted right, and that the states wherein it existed were entitled to efficient remedies to enforce the constitutional provisions which protected it. He also declared his opinion, that the compromise measures, including the fugitive slave law, were strictly constitutional, and should be unhesitatingly carried into effect.

Congress met December 5, 1853, with an increased democratic majority in both branches. In **Thirty-third Congress,** } his message to this Congress the President disclaimed any purpose, on his part, of giving prominence to any subject which might be properly regarded as set at rest by the deliberate judgment of the people. He thought the present bright with promise, but the future demanded the exercise of active intelligence in order that the dangers hitherto encountered might not fail to fulfill the objects of a wise design. He assured those who placed him in power, that the repose which the country was then enjoying should suffer no shock if he had power to avert it. And yet, despite these assurances, the country was just entering upon an era of the deepest and most intense agitation of the vexed question of slavery she had ever yet experienced.

## KANSAS-NEBRASKA BILL.

During the last session of Congress an attempt had been made to organize the territory of Nebraska, but the bill having passed the House, failed to be acted on in the Senate. This territory was a part of the Louisiana purchase. From this purchase there had already been admitted into the Union five states, Louisiana, Missouri, and Arkansas, slave; Iowa and Minnesota, free. The question of slavery extension now received a new impetus.

In January, 1851, Senator Douglas, of Illinois, reported a bill to organize the territory of Nebraska. By an amendment to this bill the territory was divided into two parts, the one directly west of Missouri, and between the parallels of 37° and 40°, to be called Kansas, the other, lying just north of this, and between the parallels of 40° and 43°, to be called Nebraska. The compromise of 1820 prohibited slavery in both of these territories, but the present bill was so amended as to declare the Missouri line annulled by the compromises of 1850. These measures were declared to "rest upon the great principles of self-government," that the people should be allowed to decide for themselves the questions of their domestic institutions. The Douglas bill was advocated by the democratic party, which, being in the ascendancy in both houses, carried the measure without difficulty. The free-soil party and the anti-slavery whigs contested the movement at every step. This division in the whig party proved its final destruction. The name "whig" was repudiated by the northern section of the party, who, for a time, were denominated anti-Nebraska men. The southern section managed to exist a few years longer, but being so nearly like the southern democracy on the question of slavery they could hardly be called a distinct party. The passage of this bill opened all the territo-

ries to the introduction of slavery, if the citizens should so elect. Congress adjourned August 7, 1854.

Congress met December 4, 1854. During this session the **Thirty-third Congress, Second Session.** } question of internal improvements } came up again, but aside from that there was little party contest. Certain public improvements were provided for, and among them was the construction of military roads in the territories of Nebraska, Kansas, and Washington. This Congress also passed an act establishing a court for the investigation of claims against the United States; for the remodeling of the diplomatic and consular service of the United States; for granting bounty land to officers and soldiers for military service, and for the reduction of postage, fixing the rate on a single letter for three thousand miles, or less, at three cents; over that distance, at ten cents. A river and harbor bill was also passed, but the President vetoed it. Congress adjourned March 3, 1855.

#### TERRITORIAL LEGISLATURE.

The repeal of the Missouri compromise, and organization of Kansas, opened that territory to the influx of contending populations—those from the slave states desiring to occupy it, while the northern states determined that it should be colonized with those opposed to slavery. The slaveholders of western Missouri, which lay between Kansas and the free states, had early gone over the line and pre-empted lands, at the same time warning free immigrants not to pass through Missouri.

The election of a delegate to Congress came off on the 29th of November, 1854. Armed bands of men came over from Missouri, and voting for their favorite candidate procured his election. On the 30th of March, 1855, occurred the election for members of the first legislature. The same tactics were repeated as in the previous election, and some four

or five thousand Missourians entered the territory and controlled the vote. Owing to the illegality of this election, Governor Reeder called for another election in six of the districts. This time the citizens, with the exception of one precinct, enjoyed their political rights.

When the legislature assembled at Pawnee, July 2, 1855, the seats of the members chosen at the second election were contested, except those from the precinct at which fraudulent votes had been cast. Subsequently every contested member was rejected, the certificates of the Governor being disregarded. The legislature thus organized, removed the seat of government to the Shawnee mission and began the work of enacting laws. They adopted the laws of the state of Missouri entire, adding some original laws which fixed the penalty of death for nearly fifty offenses against slavery. Governor Reeder, thinking that the administration would support him, refused to recognize the legislature.

#### TOPEKA CONSTITUTION.

At a meeting of the inhabitants of Kansas, held August 15, 1855, at Lawrence, for consultation in reference to their political and social condition, resolutions were adopted requesting the *bona fide* citizens of the various districts to send delegates to a convention at Topeka, to consider the propriety of adopting a constitution and making application for admission into the Union. On the 19th day of September the proposed convention assembled and appointed an election for the second Tuesday of the following October, at which delegates should be chosen to a constitutional convention. This convention assembled at Topeka, on the 25th of October, 1855, and prepared a free-state constitution, which was ratified by the people on the 15th day of the next December. Kansas applied for admission into the Union under the Topeka con-



stitution, but was refused. The election for state officers under this constitution was held Jan. 15, 1856. The state legislature, chosen at this election, met on the 4th of March, and, after organizing, adjourned till the 4th of July. There were now two legislatures in Kansas—one favoring, and the other opposing, slavery.

Congress met December 3, 1855. The democrats had a **Thirty-fourth Congress,** } majority in the Senate, but in the **First Session.** } House the anti-Nebraska men were in the lead. The Kansas troubles occupied the time during the greater part of this session. A committee was sent to Kansas "clothed with ample powers to make a thorough investigation of the alleged frauds in that territory. This committee, in an able and lengthy report, showed conclusively that no fair election had been held there at all. An army appropriation bill, with a proviso forbidding the use of the army in the interests of the pro-slavery legislature of Kansas, was passed by the House. The proviso was rejected by the Senate. Before the two Houses could come to an agreement the time for an adjournment (August 18, 1856) came, leaving the army bill unpassed. At an extra session of Congress, immediately called by the President, the army bill was passed without the proviso, and Congress again adjourned, August 30, 1856.

#### KANSAS WAR.

In a special message to Congress, sent January 24, 1856, the President recognized the pro-slavery legislature, and characterized the attempt to form a free-state government in the territories, without the consent of the federal authorities, as an act of rebellion. He then issued a proclamation advising all persons engaged in disturbing the peace of Kansas to retire to their homes; and United States troops were placed at the disposal of Governor Shannon to enforce the laws of the pro-slavery legislature. Forces were mustered on both sides,

and a civil war ensued, which was kept up throughout the year. During its progress Lawrence and Ossawatimie were sacked and a great deal of mischief done. By the end of the year Governor Geary, who had succeeded Governor Shannon, had about established peace.

#### ASSAULT UPON CHARLES SUMNER.

The Kansas trouble engendered great excitement throughout the country and in Congress. This feeling was intensified by an assault upon Senator Sumner upon the floor of the Senate, which occurred May 22, 1856. While sitting in his seat, after the adjournment of the Senate, he was approached by one Preston S. Brooks, a member of the House of Representatives from South Carolina, who inflicted upon his head several stunning blows from the head of a cane which he had, causing Mr. Sumner to sink to the floor in exhaustion, covered with blood. The assault was made in revenge for a speech which Senator Sumner had delivered a few days before on the admission of Kansas. The injuries inflicted were so severe that several years' absence from the Senate and the country was necessary for his recovery. A resolution of censure, passed by the House, caused Brooks to resign, but he was unanimously re-elected by his constituents, who thus indorsed this act of brutal outrage. Massachusetts answered this insult by refusing to elect a successor to Mr. Sumner, thus leaving his chair vacant in the Senate.

#### THE AMERICAN PARTY.

The American party at first selected candidates from the other political parties, but finding their growth so rapid, and their effect upon elections so telling, they were encouraged to nominate their own ticket, independent of the other parties. After the passage of the Kansas-Nebraska bill this organization received considerable strength from the southern whigs,

who could not unite with the democratic party. In 1855 it triumphed in nine of the state elections. Emboldened by this success the Americans met in national convention at Philadelphia, February 22, 1856, and nominated a presidential ticket, consisting of Millard Fillmore and A. J. Donaldson. (Plate VI.)

#### THE REPUBLICAN PARTY.

The proposed repeal of the Missouri compromise, which was provided for by the Kansas-Nebraska bill, produced a simultaneous uprising of the people of the free states in opposition to the measure, and caused an earnest discussion from the pulpit, the press, and the platform. Many anti-slavery men, belonging to the different parties, soon came to the conclusion that the triumph of their cause could be secured only "through the formation of a new party, which could act without the embarrassment of a pro-slavery wing." The first effort towards the formation of such a party was at Ripon, Wisconsin, Fond du Lac county, during the early months of 1854. At a meeting called by Mr. A. E. Bovey, and held on the last of February, a resolution was adopted that provided that, if the Kansas-Nebraska bill should pass, they would "throw old party organizations to the winds and organize a new party on the sole issue of the non-extension of slavery." Another meeting was held on the 20th of March, at which Mr. Bovey expressed the opinion that the new party would probably receive the name of "republican." At a convention held the following July, the organization of this party was perfected for the state of Wisconsin. The *Detroit Tribune* "took ground in favor of disbanding the whig and free-soil parties, and of the organization of a new party, composed of all the opponents of slavery extension." A mass convention met on the 6th of July and adopted a platform opposing the extension of slavery, and gave to the new

party the name of republican. This occurred in Michigan, and preceded the organization of this party in other sections of the Union. Throughout the year 1854, in those states that held elections, the new party was organized, or the anti-Nebraska partisans supported a fusion ticket that accorded with their sentiments.

The republican party in several states was not organized till 1855. Meeting with encouraged success at state elections, the new party, from a small beginning, increased rapidly in numbers, and drew into its fold by degrees all those who opposed the extension of slavery into the territories. Thus by the fusion of whigs, free-soilers, anti-Nebraska democrats, and anti-slavery Americans, the republican party was organized.

It will be seen that the new party was a loose constructionist party, inheriting the desire of the federalists and whigs for protective tariffs, internal improvements, and a system of national bank currency, and adding to them the further principle that the federal government had "power to control slavery in the territories." Its first national convention was held in Philadelphia, June 17, 1856, at which time they nominated John C. Fremont, of California, for President, and William L. Dayton, of New Jersey, for Vice-President, and adopted a platform in line with the above principles. (Plate VI.)

#### DEMOCRATIC NOMINATIONS.

The democratic national convention met at Cincinnati, on the 2d of June, and adopted the usual strict constructionist platform. In addition, they condemned know-nothingism, endorsed the Kansas-Nebraska bill and the repeal of the compromise of 1820. Its candidates were James Buchanan, of Pennsylvania, and John C. Breckinridge, of Kentucky.

Congress met December 1, 1856. The union of the vari-

**Thirty-fourth Congress, Second Session.** } ous elements into the republican } party had somewhat altered the political complexion of the House, no party having a majority. This session passed the *Tariff of 1857*, which was a reduction of "duties on imports to a lower rate than that of other tariffs since 1816." The time of this session was principally taken up with the troubles in Kansas. The free-state legislature attempted to have another meeting at Topeka, but were dispersed by federal interference. The House passed a resolution declaring the acts of the territorial legislature "cruel, oppressive, illegal, and void." The Senate refused to pass it.

The counting of the electoral votes in February, 1857, showed the following result: Buchanan and Breckinridge, 174; Fremont and Dayton, 114; Fillmore and Donaldson, 8—the electoral vote of Maryland only. Buchanan and Breckinridge were therefore elected. Congress adjourned March 3, 1857, and on March 4 the President-elect and Vice-President-elect took the oath of office.

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#### EXECUTIVE OFFICERS OF PIERCE'S ADMINISTRATION.

Franklin Pierce.....	President .....	1853-1857
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William R. King .....	Vice-President .....	1853-1853
David R. Atchison .....	“ “ .....	1853-1854
Jesse D. Bright .....	“ “ ..	1854-1857

CABINET.

William L. Marcy .....	Secretary of State .....	1853-1857
James Guthrie .....	Secretary of Treasury .....	1853-1857
Jefferson Davis .....	Secretary of War .....	1853-1857
James C. Dobbin .....	Secretary of Navy .....	1853-1857
Robert McClelland .....	Secretary of Interior .....	1853-1857
James Campbell .....	Postmaster-General .....	1853-1857
Caleb Cushing .....	Attorney-General .....	1853-1857

JUDICIAL OFFICERS.

Roger B. Taney .....	Chief Justice .....	1836-1864
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LEGISLATIVE OFFICERS.

Lynn Boyd .....	Speaker of the House .....	1851-1856
Nathaniel P. Banks .....	“ “ “ .....	1856-1857
David R. Atchison .....	President of the Senate <i>pro tempore</i> ..	1853-1854
Jesse D. Bright .....	President of the Senate <i>pro tempore</i> ..	1854-1857

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1856.—AMERICAN PLATFORM,

*Philadelphia, February 21.*

1. An humble acknowledgment to the Supreme Being for his protecting care vouchsafed to our fathers in their successful revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence, and the union of these states.

2. The perpetuation of the Federal Union and constitution, as the palladium of our civil and religious liberties, and the only sure bulwarks of American independence.

3. *Americans must rule America;* and to this end *native-born* citizens should be selected for all state, federal, and municipal offices of government employment, in preference to all others, *Nevertheless,*

4. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of native-born citizens.

5. No person should be selected for political station (whether of native or foreign birth), who recognizes any allegiance or obligation of any description to any foreign prince, potentate, or power, or who refuses to re-

cognize the federal and state constitutions (each within its sphere) as paramount to all other laws, as rules of political action.

6. The unequalled recognition and maintenance of the reserved rights of the several states, and the cultivation of harmony and fraternal goodwill between the citizens of the several states, and, to this end, non-interference by Congress with questions appertaining solely to the individual states, and non-intervention by each state with the affairs of any other state.

7. The recognition of the right of native-born and naturalized citizens of the United States, permanently residing in any territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the federal constitution, with the privilege of admission into the Union whenever they have the requisite population for one representative in Congress: *Provided, always*, that none but those who are citizens of the United States under the constitution and laws thereof, and who have a fixed residence in any such territory, ought to participate in the formation of the constitution or in the enactment of laws for said territory or state.

8. An enforcement of the principles that no state or territory ought to admit others than citizens to the right of suffrage or of holding political offices of the United States.

9. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not heretofore provided for, an indispensable requisite for citizenship hereafter, and excluding all paupers and persons convicted of crime from landing upon our shores; but no interference with the vested rights of foreigners.

10. Opposition to any union between church and state; no interference with religious faith or worship; and no test-oaths for office.

11. Free and thorough investigation into any and all alleged abuses of public functionaries, and a strict economy in public expenditures.

12. The maintenance and enforcement of all laws constitutionally enacted, until said laws shall be repealed, or shall be declared null and void by competent judicial authority.

13. Opposition to the reckless and unwise policy of the present administration in the general management of our national affairs, and more especially as shown in removing "Americans" (by designation) and conservatives in principle, from office, and placing foreigners and ultraists in their places; as shown in a truckling subserviency to the stronger, and an insolent and cowardly bravado towards the weaker powers; as shown in reopening sectional agitation, by the repeal of the Missouri compromise; as shown in granting to unnaturalized foreigners the right of suffrage in Kansas and Nebraska; as shown in its vacillating course on the Kansas and

Nebraska question; as shown in the corruptions which pervade some of the departments of the government; as shown in disgracing meritorious naval officers through prejudice or caprice; and as shown in the blundering mismanagement of our foreign relations.

14. Therefore, to remedy existing evils and prevent the disastrous consequences otherwise resulting therefrom, we would build up the "American party" upon the principles hereinbefore stated.

15. That each state council shall have authority to amend their several constitutions, so as to abolish the several degrees, and substitute a pledge of honor, instead of other obligations, for fellowship and admission into the party.

16. A free and open discussion of all political principles embraced in our platform.

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#### 1856.—DEMOCRATIC PLATFORM,

*Adopted at Cincinnati, June 6.*

*Resolved*, That the American democracy place their trust in the intelligence, the patriotism, and the discriminating justice of the American people.

*Resolved*, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world as a great moral element in a form of government springing from and upheld by the popular will; and we contrast it with the creed and practice of federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

*Resolved, therefore*, That, entertaining these views, the democratic party of this Union, through their delegates, assembled in general convention, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow citizens for the rectitude of their intentions, renew and reassert, before the American people, the declaration of principles avowed by them, when, on former occasions, in general convention, they have presented their candidates for the popular suffrage.

1. That the federal government is one of limited power, derived solely from the constitution, and the grants of power made therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

2. That the constitution does not confer upon the general government



the power to commence and carry on a general system of internal improvements.

3. That the constitution does not confer authority upon the federal government, directly or indirectly, to assume the debts of the several states, contracted for local and internal improvements or other state purposes; nor would such assumption be just or expedient.

4. That justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion of our common country; that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and a complete and ample protection of persons and property from domestic violence and foreign aggression.

5. That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government and gradual but certain extinction of the public debt.

6. That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution, and that we are opposed to any law for the distribution of such proceeds among the states, as alike inexpedient in policy and repugnant to the constitution.

7. That Congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of this country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power and above the laws and will of the people; and the results of the democratic legislation in this and all other financial measures upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties their soundness, safety, and utility in all business pursuits.

8. That the separation of the moneys of the government from banking institutions is indispensable to the safety of the funds of the government and the rights of the people.

9. That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical dominion of the bank of the United States and from a corrupting system of general internal improvements.

10. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the privilege of becoming citizens and owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.

AND WHEREAS, Since the foregoing declaration was uniformly adopted by our predecessors in national conventions, an adverse political and religious test has been secretly organized by a party claiming to be exclusively Americans, and it is proper that the American democracy should clearly define its relations thereto; and declare its determined opposition to all secret political societies, by whatever name they may be called.

*Resolved*, That the foundation of this union of states having been laid in, and its prosperity, expansion, and pre-eminent example in free government built upon, entire freedom of matters of religious concernment, and no respect of persons in regard to rank or place of birth, no party can justly be deemed national, constitutional, or in accordance with American principles, which bases its exclusive organization upon religious opinions and accidental birth-place. And hence a political crusade in the nineteenth century, and in the United States of America, against Catholics and foreign-born, is neither justified by the past history or future prospects of the country, nor in unison with the spirit of toleration and enlightened freedom which peculiarly distinguishes the American system of popular government.

*Resolved*, That we reiterate with renewed energy of purpose the well-considered declarations of former conventions upon the sectional issue of domestic slavery, and concerning the reserved rights of the states—

1. That Congress has no power under the constitution to interfere with or control the domestic institutions of the several states, and that all such states are the sole and proper judges of everything appertaining to their own affairs not prohibited by the constitution; that all efforts of the abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

2. That the foregoing proposition covers and was intended to embrace the whole subject of slavery agitation in Congress, and therefore the democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the compromise

measures, settled by the Congress of 1850—"the act for reclaiming fugitives from service or labor" included; which act, being designed to carry out an express provision of the constitution, can not, with fidelity thereto, be repealed, or so changed as to destroy or impair its efficiency.

3. That the democratic party will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

4. That the democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1792 and 1798, and in the report of Mr. Madison to the Virginia legislature in 1799; that it adopts these principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

And that we may more distinctly meet the issue on which a sectional party, subsisting exclusively on slavery agitation, now relies to test the fidelity of the people, north and south, to the constitution and the Union—

1. *Resolved*, That claiming fellowship with and desiring the co-operation of all who regard the preservation of the Union under the constitution as the paramount issue, and repudiating all sectional parties and platforms concerning domestic slavery which seek to embroil the states and incite to treason and armed resistance to law in the territories, and whose avowed purpose, if consummated, must end in civil war and disunion, the American democracy recognize and adopt the principles contained in the organic laws establishing the territories of Nebraska and Kansas, as embodying the only sound and safe solution of the slavery question, upon which the great national idea of the people of this whole country can repose in its determined conservation of the Union, and non-interference of Congress with slavery in the territories or in the District of Columbia.

2. That this was the basis of the compromise of 1850, confirmed by both the democratic and whig parties in national conventions, ratified by the people in the election of 1852, and rightly applied to the organization of the territories in 1854.

3. That by the uniform application of the democratic principles to the organization of territories and the admission of new states, with or without domestic slavery, as they may elect, the equal rights of all the states will be preserved intact, the original compacts of the constitution maintained inviolate, and the perpetuity and expansion of the Union insured to its utmost capacity of embracing, in peace and harmony, every future American state that may be constituted or annexed with a republican form of government.

*Resolved*, That we recognize the right of the people of all the territories, including Kansas and Nebraska, acting through the legally and fairly

expressed will of the majority of the actual residents, and whenever the number of their inhabitants justifies it, to form a constitution, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other states.

*Resolved, finally,* That in view of the condition of the popular institutions in the old world (and the dangerous tendencies of sectional agitation, combined with the attempt to enforce civil and religious disabilities against the rights of acquiring and enjoying citizenship in our own land), a high and sacred duty is devolved, with increased responsibility, upon the democratic party of this country, as the party of the Union, to uphold and maintain the rights of every state, and thereby the union of the states, and to sustain and advance among us constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution which are broad enough and strong enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be, in the full expression of the energies and capacity of this great and progressive people.

*Resolved,* That there are questions connected with the foreign policy of this country which are inferior to no domestic questions whatever. The time has come for the people of the United States to declare themselves in favor of free seas and progressive free trade throughout the world, and, by solemn manifestations, to place their moral influence at the side of their successful example.

2. *Resolved,* That our geographical and political position with reference to the other states of this continent, no less than the interest of our commerce and the development of our growing power, requires that we should hold sacred the principles involved in the Monroe doctrine. Their bearing and import admit of no misconstruction, and should be applied with unbending rigidity.

3. *Resolved,* That the great highway which nature, as well as the assent of states most immediately interested in its maintenance, has marked out for free communication between the Atlantic and Pacific oceans, constitutes one of the most important achievements realized by the spirit of modern times, in the unconquerable energy of our people; and that result would be secured by a timely and efficient exertion of the control which we have the right to claim over it; and no power on earth should be suffered to impede or clog its progress by any interference with relations that may suit our policy to establish between our government and the governments of the states within whose dominions its lies; we can under no circumstances surrender our preponderance in the adjustment of all questions arising out of it.

4. *Resolved*, That in view of so commanding an interest, the people of the United States can not but sympathize with the efforts which are being made by the people of Central America to regenerate that portion of the continent which covers the passage across the inter-oceanic isthmus.

5. *Resolved*, That the democratic party will expect of the next administration that every proper effort be made to insure our ascendancy in the Gulf of Mexico, and to maintain permanent protection to the great outlets through which are emptied into its waters the products raised out of the soil and the commodities created by the industry of the people of our western valleys and of the Union at large.

6. *Resolved*, That the administration of Franklin Pierce has been true to democratic principles, and therefore true to the great interests of the country; in the face of violent opposition, he has maintained the laws at home and vindicated the rights of American citizens abroad, and, therefore, we proclaim our unqualified admiration of his measures and policy.

#### 1856.—REPUBLICAN PLATFORM,

*Adopted at Philadelphia, June 17.*

This convention of delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri compromise, to the policy of the present administration, to the extension of slavery into free territory; in favor of admitting Kansas as a free state, of restoring the action of the federal government to the principles of Washington and Jefferson; and who purpose to unite in presenting candidates for the offices of President and Vice-President, do resolve as follows:

*Resolved*, That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the federal constitution, is essential to the preservation of our republican institutions, and that the federal constitution, the rights of the states, and the union of the states, shall be preserved.

*Resolved*, That with our republican fathers we hold it to be a self-evident truth that all men are endowed with the inalienable rights to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our federal government were, to secure these rights to all persons within its exclusive jurisdiction; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the constitution against all attempts to violate it for the purpose of establishing

slavery in any territory of the United States, by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any territory of the United States, while the present constitution shall be maintained.

*Resolved*, That the constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the imperative duty of Congress to prohibit in the territories those twin relics of barbarism—polygamy and slavery.

*Resolved*, That while the constitution of the United States was ordained and established, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty, and contains ample provisions for the protection of the life, liberty, and property of every citizen, the dearest constitutional rights of the people of Kansas have been fraudulently and violently taken from them; their territory has been invaded by an armed force; spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the government, tyrannical and unconstitutional laws have been enacted and enforced; the rights of the people to keep and bear arms have been infringed; test oaths of an extraordinary and entangling nature have been imposed, as a condition of exercising the right of suffrage and holding office; the right of an accused person to a speedy and public trial by an impartial jury has been denied; the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, has been violated; they have been deprived of life, liberty, and property without due process of law; that the freedom of speech and of the press has been abridged; the right to choose their representatives has been made of no effect; murders, robberies, and arsons have been instigated or encouraged, and the offenders have been allowed to go unpunished; that all these things have been done with the knowledge, sanction, and procurement of the present national administration; and that for this high crime against the constitution, the Union, and humanity, we arraign the administration, the President, his advisers, agents, supporters, apologists, and accessories, either before or after the facts, before the country and before the world; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages, and their accomplices, to a sure and condign punishment hereafter.

*Resolved*, That Kansas should be immediately admitted as a state of the Union with her present free constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to

which they are entitled, and of ending the civil strife now raging in her territory.

*Resolved*, That the highwayman's plea that "might makes right," embodied in the Ostend circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction.

*Resolved*, That a railroad to the Pacific ocean, by the most central and practicable route, is imperatively demanded by the interests of the whole country, and that the federal government ought to render immediate and efficient aid in its construction, and, as an auxiliary thereto, the immediate construction of an emigrant route on the line of the railroad.

*Resolved*, That appropriations of Congress for the improvement of rivers and harbors of a national character, required for the accommodation and security of our existing commerce, are authorized by the constitution, and justified by the obligation of government to protect the lives and property of its citizens.

*Resolved*, That we invite the affiliation and co-operation of the men of all parties, however differing from us in other respects, in support of the principles herein declared; and believing that the spirit of our institutions, as well as the constitution of our country, guarantees liberty of conscience and equality of rights among citizens, we oppose all proscriptive legislation affecting their security

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#### 1856.—WHIG PLATFORM,

*Baltimore, September 13.*

*Resolved*, That the whigs of the United States, now here assembled, hereby declare their reverence for the constitution of the United States, their unalterable attachment to the national Union, and a fixed determination to do all in their power to preserve them for themselves and their posterity. They have no new principles to announce; no new platform to establish; but are content to broadly rest—where their fathers rested—upon the constitution of the United States, wishing no safer guide, no higher law.

*Resolved*, That we regard with the deepest interest and anxiety the present disordered condition of our national affairs—a portion of the country ravaged by civil war, large sections of our population embittered by mutual recriminations; and we distinctly trace these calamities to the culpable neglect of duty by the present national administration.

*Resolved*, That the government of the United States was formed by the conjunction in political unity of widespread geographical sections, materially differing, not only in climate and products, but in social and domes-

tic institutions; and that any cause that shall permanently array the different sections of the Union in political hostility and organize parties founded only on geographical distinctions, must inevitably prove fatal to a continuance of the national Union.

*Resolved*, That the whigs of the United States declare, as a fundamental article of political faith, an absolute necessity for avoiding geographical parties. The danger, so clearly discerned by the father of his country, has now become fearfully apparent in the agitation now convulsing the nation, and must be arrested at once if we would preserve our constitution and our Union from dismemberment, and the name of America from being blotted out from the family of civilized nations.

*Resolved*, That all who revere the constitution and the Union, must look with alarm at the parties in the field in the present presidential campaign, one claiming only to represent sixteen northern states, and the other appealing mainly to the passions and prejudices of the southern states; that the success of either faction must add fuel to the flame which now threatens to wrap our dearest interests in a common ruin.

*Resolved*, That the only remedy for an evil so appalling is to support a candidate pledged to neither of the geographical sections nor arrayed in political antagonism, but holding both in a just and equal regard. We congratulate the friends of the Union that such a candidate exists in Millard Fillmore.

*Resolved*, That, without adopting or referring to the peculiar doctrines of the party which has already selected Mr. Fillmore as a candidate, we look to him as a well tried and faithful friend of the constitution and the Union, eminent alike for his wisdom and firmness—for his justice and moderation in our foreign relations—for his calm and pacific temperament, so well becoming the head of a great nation—for his devotion to the constitution in its true spirit—his inflexibility in executing the laws; but, beyond all these attributes, in possessing the one transcendent merit of being a representative of neither of the two sectional parties now struggling for political supremacy.

*Resolved*, That, in the present exigency of political affairs, we are not called upon to discuss the subordinate questions of administration in the exercising of the constitutional powers of the government. It is enough to know that civil war is raging, and that the Union is in peril; and we proclaim the conviction that the restoration of Mr. Fillmore to the presidency will furnish the best if not the only means of restoring peace.



## CHAPTER XVII.

### BUCHANAN'S ADMINISTRATION.

1857—1861.

#### BUCHANAN'S POLICY.

In his inaugural address President Buchanan said, "that Congress was neither to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the United States." This was the doctrine of "popular sovereignty," which became applicable to all the territories after the repeal of the Missouri compromise.

#### DRED SCOTT CASE.

The Dred Scott case was originally one of assault and battery, but it finally became one of the most important cases ever decided in the United States. A slave named Dred Scott was owned by a military officer living in Missouri. He was taken by his master to a military post in Illinois, where the latter had been ordered in 1834. In this state, from which slavery was excluded by statute, Scott was allowed to marry the female slave of another officer, each master giving his consent. In 1838 Scott was taken to Minnesota, a territory in which slavery was prohibited by the act of Congress, 1820, known as the Missouri compromise. Thence the owner took him, his two children, and the mother, back to Missouri, and sold them all there as slaves. Scott was whipped for some offense, and sued for his freedom on the plea of his residence, for several years, in the free-labor territory of Illinois and Min-

nesota. "The owner's demurrer denied that the plaintiff was a citizen, or could sue, since he was descended from slave ancestors, and had never been set free." This was in the circuit court of St. Louis, and the decision was in Scott's favor. This was reversed by the Supreme Court of the state, and the case was taken to the Supreme Court of the United States, Chief Justice Roger B. Taney presiding. The Chief Justice, and a majority of the justices, being friends of the slave system, the decision was against Scott. Though the case was decided in 1856, it was deemed best to reserve judgment until after the excitement of the presidential election should subside. Two days after the inauguration of Buchanan, Chief Justice Taney declared that any person "whose ancestors were imported into this country and held as slaves" had no right to sue in a court in the United States. This denied the right of citizenship to a slave, or the descendant of a slave. The Chief Justice further declared that the framers of the Declaration of Independence did not include the negro race in America in the declaration that "*all men are created equal*;" that the patriots of the revolution regarded the negro race as so far inferior that he had "no rights or privileges but such as those who held the power and the government might choose to grant him;" that they were spoken of only as property; and that the framers of the constitution held the same views. The Chief Justice further declared that the Missouri compromise, and all other acts restricting slavery, were unconstitutional, and that there was no authority in Congress or the local legislatures for restricting the spread of slavery over the whole Union. It was decided that Dred Scott, the plaintiff in error, was no citizen of Missouri, but *a thing*; that his residence in Minnesota could avail him nothing, because the act of Congress, forbidding slaves north of 36° 30', was unconstitutional and could not debar a slave-owner from living in any territory with all his property; that Scott, being a

thing, was without standing in court; and that his case must be dismissed for want of jurisdiction.

The northern states were startled by this decision of the Supreme Court, for the dissenting justices of that body, and the mass of the people in the free states, regarded slaves as a "kind of property whose secure possession was guaranteed only by the state laws which made them property." A slave-owner lost this guarantee on leaving a state whose laws afforded it. It was resisted by all opponents of slavery, but the President spoke of the measure as the one which would speedily and finally settle the slavery question, and as one to which he would cheerfully submit. The dominant party assumed that the decision was final, and that slavery was nationalized.

The Dred Scott decision was the last attempt made to decide the struggle by form of law between slavery restriction and slavery extension, and henceforth the course of events tended rapidly to a settlement of the difficulty by the force of arms. In 1820 the first compromise had prohibited slavery in a portion of the territory, and had left the question open as to the remaining portion. The compromises of 1850 had opened all the territory to slavery, if it could be established by popular sovereignty. The people submitted to both these measures; but the Dred Scott decision opened all the territories and states of the Union "to at least a temporary establishment of slavery wherever a slave owner might see fit to carry his slaves." It was evident that the free states would never receive this as law, although it was promulgated by the Supreme Court of the United States. This remarkable decision had no practical results, beyond showing the failure of the Supreme Court as an arbiter, and calling the attention of the north to the "impracticable demands of the slave owners." The northern or Douglas democrats, who,

preceding this time, had supported the south, chose rather to divide the party than follow the southern lead any further.

#### DESIGNS OF THE SLAVE POWER.

The constitution, as originally drafted, gave a representation to three-fifths of the slave population, so that the owner of one thousand slaves held the same political power as six hundred men not owning slaves. By this provision, the three hundred thousand slave owners had grown into a slave power that controlled the south in 1857. At this time the south controlled the democratic party, and this party controlled the Union. But the course of events was turning against them. Prior to 1845 an equilibrium between the sections was maintained by admitting as many new southern states as new northern states; but after that time five new northern states were added to the Union, and others were almost ready for application, while there were no new southern states to counterbalance them. From 1820 to 1848 there had been as many senators from the slave states as from the free states. In 1852 the latter had thirty-two senators and the former only thirty. The impossibility of maintaining an equality in the Senate produced an alarm in the south. To this fear of slaveholders there was another cause of doubt as to their continuance in power. The power, energy, and resources of the free states were overmatching the efforts of the south in Kansas; and if Kansas could not be made a slave state, the advocates of slavery saw but three courses to pursue: the cession of Cuba to the Union, as territory for slave states; the acquisition of territory south of Texas as material for the same purpose; or the reopening of the African slave trade. If these attempts should fail, they desired a separation from the free states, and the establishment of an independent government that would secure slavery from all attacks and restrictions.

## PURCHASE OF CUBA.

After the annexation of Texas, there was a desire on the part of the south to obtain possession of Cuba. In 1848 our minister at Madrid, under instructions from President Polk, offered for the island one hundred million dollars, which was peremptorily rejected by the government of Spain. During the administrations of Taylor and Fillmore the subject of the acquisition of Cuba received considerable public attention and discussion. In 1852, Great Britain, France and Spain proposed to unite with the United States in a treaty mutually guaranteeing Cuba to Spain forever. Edward Everett, secretary of state, rejected the proposition. Soon after the passage of the Kansas-Nebraska bill, James Buchanan, John Y. Mason, and Pierre Soule, our ambassadors to London, Paris, and Madrid, received executive instruction to confer regarding the best means of acquiring Cuba. They met at Ostend, in Belgium, October 9, 1854, and after deliberation, sent to our government a dispatch, which is known as the Ostend manifesto. This declared that "the Union can never enjoy repose, nor possess reliable security, as long as Cuba is not embraced within its boundaries," and suggested the desirability of taking Cuba by force, provided Spain should refuse a price for the island far beyond its value.

The publication of this dispatch created a sensation in Europe, and its doctrines were not disavowed by our government; but the south could have little hope of success in obtaining Cuba, while England, France, and Spain were opposed to its cession to the United States.

## FILIBUSTERING EXPEDITIONS.

The era of filibustering expeditions against Central America and Cuba, for the purpose of adding slave territory to the United States, began in 1851. This year a Cuban named

Lopez—assisted by some of our citizens in fitting out an expedition—sailed from New Orleans, with five hundred men, to conquer Cuba. He was defeated and put to death, and his men imprisoned. Strenuous efforts were made to procure their release.

Soon after the appearance of the Ostend circular, William Walker, of Tennessee, at the head of a body of men, sailed from New Orleans to conquer Central America. He entered Nicaragua "in the character of an ally to one of the factions habitually disputing the mastery of that, as well as of most other Spanish-American countries." In this capacity he was aided by native soldiers, and succeeded in capturing Granada, the stronghold of the opposing faction. Upon this, he assumed the rank of general, and soon afterward the title of President of Nicaragua, and decreed that slavery should be re-established in that country. By these acts he excited the jealousy of the natives, and after struggling against them two years, he surrendered at Rivas, May 1, 1857, to a coalition of the Central American states. He returned to New Orleans, and sailed for Nicaragua with a second expedition, but Commodore Paulding, of our navy, brought him back a prisoner to New York. On being released, he conducted a third expedition to Nicaragua, and landed at Truxillo. He was opposed by the President of Honduras, with five hundred men, and by the commander of a British man-of-war. By these he was captured, condemned, and shot. This ended filibustering in the interest of acquiring territory.

#### AFRICAN SLAVE TRADE.

Many slave owners believed that they were overpowered in Kansas by their inability to send at once a large number of slaves into that territory, and as a consequence they seriously demanded the reopening of the African slave trade. There seemed a probability that they would endeavor to ob-

tain from the next convention of the democratic party a resolution favoring the renewal of this trade with Africa. Matters of greater moment appearing, this subject ceased to receive consideration.

#### THE STRUGGLE IN KANSAS.

When Buchanan assumed the duties of his office, the pro-slavery and the free-state governments, which had been established in Kansas during the preceding administration, were still in existence. The new President sustained the territorial government, following, in this respect, the example of his predecessor. The pro-slavery legislature issued a call for a convention to meet at Lecompton and form a constitution with the view of applying for admittance into the Union. The Supreme Court had decided that slavery existed in Kansas under the national constitution, and that the inhabitants of Kansas, only by electing delegates who would vote for its prohibition in the constitution to be formed by the Lecompton convention, could make it anti-slavery territory. The call for an election was not recognized by the free-state men, who made little, if any, preparation for the election. Thus refusing to vote, the free-state men allowed a large majority of pro-slavery delegates to be chosen to the convention. The delegates met at Lecompton, on September 4, 1857, and continued in session till November 7. They framed a constitution, but refused to submit the whole of it to the people. It was argued by pro-slavery members that it was not necessary to submit the constitution to the people, since the delegates had been chosen to form a state constitution, consequently their actions should be regarded as final. But the Kansas-Nebraska act required that they should submit the question of whether or not slavery should exist in the new state. In compliance with this law, it was decided to submit the main question at issue. But the convention ordered the

ballots to be endorsed "Constitution with slavery, or constitution without slavery." This prevented the free-state men in either case from voting against the constitution, and accordingly they refused to participate in the election. The Lecompton constitution, with slavery, was consequently announced as adopted, the vote being 6,143 in favor of slavery, and 589 against it. The election took place on December 21, 1857. An election for state officers, members of the legislature, and a congressman, was appointed for the first Monday of the following January. The opponents of the constitution desiring to obtain control of the legislature, did not refrain from voting at this election, and after a warm party contest, secured a large majority in that body. With this power the free-state men ordered an election at which the people could vote for or against the Lecompton constitution, and the result as returned, was 10,226 votes against the instrument, 134 for it with slavery, and twenty-four for it against slavery. Governor J. W. Denver certified this return, and Douglas, in his report from the Senate territorial committee, endorsed it. But this vote was considered worthless by the supporters of the Lecompton constitution, "on the ground that the territorial legislature had no power to order it;" and the president of that convention forwarded the document to President Buchanan, with the request that it be submitted to Congress. This was done by the President on February 2, 1858, with the recommendation that Kansas be admitted under the instrument.

Congress passed a bill which submitted the Lecompton constitution to the people of Kansas, with the promise that large grants of public lands, for educational purposes, would be given to the state if the constitution were adopted. At an election held in August, 1858, the Lecompton constitution was rejected a second time, by a majority of 9,513. Kansas, therefore, still remained a territory. The following year the



territorial legislature called an election for delegates to meet and form a constitution. This body assembled at Wyandot, July, 1859, and prepared a constitution prohibiting slavery. When submitted to the people it was adopted by a majority of 4,000. Under this constitution Kansas was admitted, 1861.

Congress met December 7, 1857, with thirty-nine democrats, twenty republicans, and five know-nothings in the Senate, and one hundred and thirty-one democrats, ninety-two republicans, and fourteen know-nothings in the House. Mr. Buchanan, in a message to Congress, argued in favor of admitting Kansas as a state under the Lecompton constitution with slavery, on the ground that its framers had been chosen to form a state constitution and were not required to submit the instrument to the people. This view of the President was supported by the pro-slavery members of Congress, and opposed by the republicans, and by the democrats who followed the lead of Senator Douglas, of Illinois. Mr. Douglas, in a speech in the Senate, said that they had no right to force an unacceptable constitution upon the people. On the first day of the session the republicans of Congress published a protest against any effort to admit Kansas as a slave state against the will of her people. A bill to admit Kansas as a state was passed by the Senate and submitted to the House, which passed the bill, with the proviso that the constitution should once more be submitted to a popular vote. The Senate did not acquiesce in the proviso; but a conference committee recommended that the bill, as passed by the House, should be adopted, with an additional provision that large grants of public lands be made to Kansas if the people of the new state should vote for the adoption of the Lecompton constitution. The bill in this form, known as the English bill, became a law; but the Lecompton constitution was

rejected by 9,513 majority as has been stated, and Kansas still remained out of the Union, under the territorial legislature. An unsuccessful attempt was made during this session to appropriate public lands to the states for purposes of education. Congress adjourned June 1, 1858. Minnesota was admitted into the Union on the eleventh of the preceding month.

#### THE LINCOLN AND DOUGLAS DEBATE.

In July, 1858, Senator Douglas returned from Washington to enter upon the canvass for re-election. In the preceding month the republican state convention of Illinois had nominated, at Springfield, Abraham Lincoln as candidate for United States Senator. Before the body which nominated him, Mr. Lincoln said :

"If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year, since a policy was initiated with the avowed object and confident promise of putting an end to the slavery agitation. Under the operation of that policy that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. 'A house divided against itself can not stand.' I believe this government can not endure permanently half slave and half free. I do not expect the Union to be dissolved. I do not expect the house to fall, but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction ; or its advocates will push it forward till it shall become alike lawful in all the states, old as well as new—north as well as south."

Douglas arrived at Chicago on the 9th of July and met with an enthusiastic reception by his friends. He replied to

Lincoln's speech at Springfield, and on the 16th spoke at Bloomington, and the next day at Springfield. Lincoln having heard all three speeches, challenged Douglas to debate in the following words:

"HON. S. A. DOUGLAS:

"MY DEAR SIR: Will it be agreeable to you to make an arrangement to divide time, and address the same audience, during the present canvass?"

Douglas accepted the challenge, and arrangements were made for seven joint debates.

The discussions were attended by great crowds, and leading newspapers gave full reports of their speeches. While Douglas was inspired by hosts of friends, the enthusiasm of the north soon ran in favor of Lincoln. Both of the debaters were not entirely free in the contest. The administration manifested an attitude of jealousy toward Mr. Douglas, and watched the canvass with great interest. It was charged upon Mr. Buchanan that the patronage of the administration was secretly employed to defeat Douglas, who was known as the "Little Giant." His standard was deserted by a few prominent democrats and they were rewarded by the administration. In the heat of the canvass the friends of Douglas paid little attention to the views of the administration, which was overshadowed in Illinois by the influence of the "Little Giant." The warm friends of slavery could not see that his political views were altogether in their interests. But "his doctrine of popular sovereignty had all the attractions of novelty and apparent fairness." It divided the republicans for a period, and the *New York Tribune* at one time showed indications of accepting the position of Douglas. He lacked neither friends nor money, and everything was abundantly supplied that was necessary for an enthusiastic and successful campaign. "Only the border states of the south, however, saw opportunity and glory in it, while the office-holders in

other sections stood off and awaited results." Douglas was ambitious, and had more to lose than his opponent. If he should be defeated, he would lose his influence as a senator, and would be out of the field for the presidency, a position to which he might well aspire, for he represented at that time the majority of the democratic party in the whole country, better than any other leader.

Lincoln's position was different. Though cramped at first by a class of republicans who thought that "popular sovereignty" was not a bad doctrine for his party, he entered the canvass with an earnestness of conviction that had a great influence upon those republicans who were inclining towards the doctrine of Douglas. Lincoln sought to impress the nation with the views which he held, and wished to do this with no other display than the power of their statement and publication. His chances for election were remote, for the state had been gerrymandered so as to elect his opponent, though a majority of twenty thousand should be against him. Mr. Lincoln "declared that he did not care for the local result, and, in the light of what transpired, the position was wisely taken." His party was new, growing, and aggressive, and he wished to divert their attention from the doctrine of Douglas and impress upon them the sentiments which should control them during the "irrepressible conflict," which he declared was at hand. The debate obtained a world-wide celebrity, and was more potent in educating and training the anti-slavery sentiment, taken in connection with the growing excitement in Kansas, than any other thing that could have transpired. At the election which followed the canvass the vote for Lincoln was 126,084, to 121,940 for Douglas, but the apportionment of the state in 1850 gave Douglas a plain majority of the general assembly.

## THE HOMESTEAD BILL.

Congress met December 6, 1858. There was no change in **Thirty-fifth Congress, } party strength, save that eleven mem-  
Second Session. } bers of the House were now classed** as anti-Lecompton democrats, while one hundred and sixteen supported the administration. Party contest during this session was directed toward legislation on the public lands. The immense public domain of the United States at that time unentered was estimated at about one thousand millions of acres of land. What to do with this was a question which had occupied for years the minds of thoughtful men. At length the proper disposition of these lands became a party question, stated as follows: "Shall the public domain be open to monopoly by speculators, leading inevitably to a landed aristocracy, or shall it be reserved for actual occupants in small quantities at a nominal price, or without price?" The slaveholding interests of the country could not well exist where small freeholds prevailed, and consequently it opposed all homestead laws, knowing that if the new western lands were occupied in small sections it would be to the detriment of great planters who desired to operate under the slave system. The question was an old one, but it never commanded in Congress the attention to which it was entitled, till parties were organized in opposition to the extension of slavery. During this session of Congress a homestead bill was discussed, which gave heads of families the right to buy 160 acres of western public lands, at one dollar and twenty-five cents an acre. The bill was passed by the House, but postponed by the Senate. The President vetoed a bill which was passed for appropriating public lands in the interests of education. Oregon was admitted into the Union on the 14th of February, 1859. Congress adjourned on the 3d of March.

## JOHN BROWN'S INSURRECTION.

John Brown, a native of Connecticut, went to Kansas in 1855, and settled in the town of Ossawatimie. He became a noted anti-slavery leader, and rewards were offered for his arrest by the governor of the territory and the President of the United States. Upon this, he left Kansas, and settled at Harper's Ferry, Virginia, in July, 1859, with the desperate design of causing a general insurrection of the slave race. He was attended by his family and some associates from Kansas. On the 17th of October they captured the town of Harper's Ferry, and the United States arsenal at that place, and proclaimed freedom to all the blacks in the vicinity. The news created intense excitement throughout the country, and especially in southern states. Militia from Maryland and Virginia rushed to the scene of action. John Brown made a spirited defense, but he and most of his associates were captured by Colonel Robert E. Lee, of Virginia. Those captured were tried on a charge of treason, and John Brown and two colored men were hanged at Charleston, Virginia, December 2, 1859. The execution took place under the authority of that state.

Congress met December 5, 1859, with thirty-eight democrats, twenty-five republicans, and two know-nothings in the Senate, and one hundred and nine republicans, eighty-six democrats, thirteen anti-Lecompton democrats, and twenty-two know-nothings in the House. There was no party majority in the House, though the republican vote was the largest. Eight weeks were occupied in balloting for a speaker, during which time angry discussions took place upon a book recently published called "The Impending Crisis in the South." This was an excellent advertisement of the work, and caused it, out of curiosity, to meet with an immense sale. The insurrection

at Harper's Ferry was another source for angry debate. On the 1st of February, 1860, a republican of New Jersey, named William Pennington, was chosen speaker. Resolutions affirming that Congress and territorial legislatures were without power to prohibit slavery in the territories, were introduced in the Senate, debated at intervals for nearly four months, and passed by a party vote.

#### THE COVODE INVESTIGATION.

Mr Hickman and Mr. Adrain declared in the House that the administration had offered them inducements to vote for the Lecompton bill. Mr. Covode, of Pennsylvania, moved that a committee of five be appointed to investigate the charge. Against this the President protested. The investigation lasted three months, when the republican majority reported that editors of newspapers and members of Congress had been bribed by the administration to favor the Lecompton bill. The democratic minority of the investigating committee made a report defending and exonerating the President. This unpleasant feature of the session received no further action.

#### THE HOMESTEAD BILL.

The homestead bill passed by the House at the last session was again agreed to by that body. A substitute for this, giving public lands to actual settlers at twenty-five cents per acre, was passed by the Senate and agreed to by the House. This substitute seemed to have been drawn so as to provoke, if possible, the opposition of the President. On being presented to him it was vetoed, with the objection that it was unjust to the older states to give away lands to the newer states; for lands sold at such a low rate were regarded as almost given away.

Under the Wyandot constitution, adopted in Kansas the preceding year, that territory applied for admission as a state,

The constitution was approved by the House, but rejected by the Senate, and Kansas still remained a territory. Congress adjourned June 18, 1860.

#### THE NATIONAL DEMOCRATIC CONVENTION AT CHARLESTON.

The democratic national convention met at Charleston, South Carolina, on the 23d of April, 1860. Caleb Cushing, of Massachusetts, was made chairman. Delegates from all the thirty-three states of the Union were present, the whole number of votes being 303. The two-thirds rule was adopted, and 202 votes were required to make a choice for President and Vice-President. The members were divided on the question of slavery in the territories. Almost all the southern portion, and a minority of the northern portion, believing in the Dred Scott decision, held that property in slaves was as valid under the national constitution as any other kind of property. The Douglas wing adhered to the doctrine of popular sovereignty, indifferent as to whether or not it would lead to the protection of slave property in the territories. It was resolved unanimously "that this convention will not proceed to ballot for a candidate for the presidency, until the platform shall have been adopted." The committee on resolutions presented a majority and a minority report. After a long discussion on the reports they were both recommitted to the committee on resolutions, with the view of promoting harmony. On the sixth day of the convention two reports were a second time made by the committee, the difference between them, as in the first case, being in regard to slavery in the territories. This question had divided the committee from the beginning. One portion of the committee was composed of the fifteen members from the slave-holding states, with those from Oregon and California; the other portion embraced the members from all the free states east of the



Rocky Mountains. The two reports agreed on all questions except the one regarding slavery in the territories. Mr. Avery, of North Carolina, chairman of the committee, made the following report :

*"Resolved*, That the platform adopted by the democratic party at Cincinnati be affirmed with the following explanatory resolutions: First, That the government of the territory, organized by an act of Congress, is provisional and temporary, and during its existence all citizens of the United States have an equal right to settle with their property in the territory without their rights, either of person or property, being destroyed or impaired by congressional or territorial legislation. Second, That it is the duty of the federal government, in all its departments, to protect, when necessary, the rights of persons and property in the territories, and wherever else its constitutional authority extends. Third, That when the settlers in a territory, having an adequate population, form a state constitution, the right of sovereignty commences, and being consummated by admission into the Union, they stand on equal footing with the people of other states, and the state thus organized ought to be admitted into the federal Union, whether its constitution prohibits or recognizes the institution of slavery."

The minority report, made by Mr. Samuels, of Iowa, after re-affirming the Cincinnati platform, continued as follows :

"Inasmuch as differences of opinion exist in the democratic party, as to the nature and extent of the powers of a territorial legislature, and as to the powers and duties of Congress, under the constitution of the United States, over the institution of slavery within the territories,

*"Resolved*, That the democratic party will abide by the decisions of the Supreme Court of the United States upon questions of constitutional law."

Mr. Samuels moved that the minority report be adopted by

the convention. An exciting debate followed, the difference between the parties being irreconcilable. The south claimed that the Cincinnati platform should be explained so as to recognize slavery in the territories, according to the principle decided by the Supreme Court, referring to the Dred Scott decision. But the northern wing refused to recognize this decision, and continued to maintain that the power to deal with the question of slavery according to their own will was inherent in the people of a territory. The vote was taken, and the minority report, instead of the majority, was adopted by a vote of 165 to 138.

The next question which came before the convention was the adoption of the resolution referring to slavery in the territories. It was negatived by a vote of 238 to 21. "Thus the majority and minority resolutions on the territorial question were rejected, and nothing remained before the convention except the Cincinnati platform."

It was now the 30th of April, and the delegates from Louisiana, Alabama, South Carolina, Mississippi, Florida, Texas, and Arkansas withdrew from the convention, having assigned reasons for so doing. An effort was made to restore harmony, and the convention adjourned for consultation till the following day, May 1. Upon re-assembling, the delegation from Georgia, thus making the eighth state, withdrew from the convention. After re-affirming the two-thirds rule, balloting began May 1, the eighth day of the session. Voting continued till the 3d of May, when, after fifty-five ballotings, it became manifest that a nomination at Charleston could not be made. The friends of Mr. Douglas would vote for no other man, and his opponents were determined to vote against him. Hoping that a compromise might be effected, Mr. Russell, of Virginia, moved that the convention adjourn to meet in Baltimore, the 18th of June. The convention "respectfully recommended to the democratic party of the several states to

make provision for supplying all vacancies in their respective delegations to this convention when it shall re-assemble."

On re-assembling in Baltimore, at the appointed time, with Caleb Cushing in the chair, Mr. Howard, of Tennessee, offered a resolution "that the president of the convention direct the sergeant-at-arms to issue tickets of admission to the delegates of the convention, as originally constituted and organized at Charleston."

The friends of Douglas, in the absence of those who had withdrawn at Charleston, constituted a controlling majority, and they resisted the admission of those who had withdrawn, and maintained that they had irrevocably resigned their seats. After a long debate, the question was referred to the committee on credentials, which made a majority report, declaring that the seats of those who had resigned at Charleston were still vacant, and a minority report, maintaining that those delegates had a right to resume their seats in the convention. On June 22, the majority report was adopted, whereupon the delegations from Virginia, North Carolina, Tennessee, Kentucky, Maryland, California, Oregon, and Arkansas withdrew, refusing to participate longer in the deliberations. The next day Mr. Cushing resigned his seat as president, and Mr. Todd, of Ohio, took the vacant chair. Balloting then began, and resulted in the nomination of Stephen A. Douglas for President of the United States. The second place on the ticket was given to Senator Fitzpatrick, of Alabama. After adjournment he resigned, and the executive committee selected as candidate for Vice-President, Mr. Herschel V. Johnson, of Georgia.

On June 23, the delegates who had withdrawn from the Douglas convention, and the original delegates from Louisiana and Alabama, met in Baltimore, calling themselves the national democratic convention. For the first place on the ticket they nominated Mr. John C. Breckinridge, of Ken-

tucky; and for the second place, General Joseph Lane, of Oregon.

The delegates seceding from the Charleston convention immediately organized a convention in that city, adopted their platform, and adjourned to meet at Richmond, Virginia, on June 11. Here they adjourned again, met in Baltimore, June 28, and nominated Breckinridge and Lane, the ticket formed by the delegates who had seceded from the Douglas convention. Thus was the democratic party divided, and the election of a republican made possible. (Plate VI.)

#### CONSTITUTIONAL UNION CONVENTION.

The constitutional union party, represented by twenty states, met in national convention at Baltimore, May 9, 1860, and adopted an evasive platform declaring, as its political principles, "The constitution of the country, the union of the states, and the enforcement of the laws." John Bell, of Tennessee, and Edward Everett, of Massachusetts, were nominated for the presidency and vice-presidency. This organization was a continuation of the American or know-nothing party. (Plate VI.)

#### REPUBLICAN NATIONAL CONVENTION.

The national convention of the republican party was held at Chicago, May 16, 1860. All the northern states were fully represented, and there were partial delegations from all other states except those on the Gulf. David Wilmot, author of the Wilmot proviso, became temporary chairman, and George Ashman, of Massachusetts, was made permanent president. Prominent among the candidates were: William H. Seward, of New York; Salmon P. Chase, of Ohio; Abraham Lincoln, of Illinois; Simon Cameron, of Pennsylvania, and Edward Bates, of Missouri. On the third ballot Mr. Lincoln received 354 out of 446 votes, and was declared to be the

nominee. Mr. Seward led the vote at first, but prominent republicans thought his nomination inexpedient, and enthusiasm ran in favor of Mr. Lincoln, whose talented debate with Douglas was still fresh in the minds of the delegates. Hannibal Hamlin, of Maine, was nominated for Vice-President. The proceedings were characterized throughout by great harmony, and the convention closed its work in one day. (Plate VI.)

#### PRESIDENTIAL ELECTION OF 1860.

The constitutional unionists, or Americans, were not so numerous as the democrats or republicans, but they made a vigorous canvass, with the design of throwing the election into the House, in the hope that there a compromise would be effected in favor of their candidates. The Americans had abandoned, in most of the states, the know-nothing features pertaining to oaths and secrecy; but they held to their original doctrines on naturalization and immigration, and were non-committal on the slavery question. Their object was to evade this altogether.

The Douglas democrats proclaimed the doctrine of popular sovereignty, and in its application were indifferent whether slavery in the territories was voted up or voted down. They aimed to throw the responsibility of a decision of the slavery question upon the Supreme Court, or upon the people of the territories, or anywhere, in short, except upon the democratic party. The Breckinridge democrats adhered to the position that to hold slaves or to carry them into the territories was a moral and legal right, and that no power, save the constitution of the United States, could prohibit or interfere with the institution outside of state lines. Their purpose was to carry slavery into the territories at any cost. On other questions the two wings were together.

The republicans adopted a loose constructionist platform,

which declared that all men are free and equal ; that slavery should not be extended to the territories ; that it could exist only by virtue of local and positive laws ; that slavery was morally wrong ; that freedom was the normal condition of the territories, which Congress should defend and preserve ; and that the nation should anticipate the gradual extinction of slavery. It denounced the democratic administration in Washington and Kansas, and threats of disunion by democrats ; and favored protection to home industry, a Pacific railway, the homestead bill, and internal improvements. The avowed purpose of the platform was to exclude slavery from the territories at any cost.

Thus there were three discordant parties whose efforts enabled the republicans to succeed. Large majorities were cast for Lincoln in nearly all the free states, each one, except New Jersey, having chosen republican electors. Most of the southern states voted for Breckinridge. No candidate received a majority of the popular vote. For Lincoln the popular vote was 1,866,452 ; the electoral vote, 180. Douglas received 1,375,157 popular votes, and the votes of 12 electors. Breckinridge had 847,953 votes, and 76 from electors. The latter vote for Bell was 39, while the former was 570,631.

#### SECESSION.

The legislature of South Carolina having met to choose electors, remained in session till the election of Lincoln was assured. It then called a convention of the state to consider the mode and measure of redress. The convention passed, unanimously, the following : "An ordinance to dissolve the union between the state of South Carolina and other states united with her under the compact entitled, 'the constitution of the United States of America.'" Copies of this ordinance were forwarded to the other slaveholding states, and Governor Pickens issued, December 24, a proclamation embody-

ing the substance of the ordinance. South Carolina was relied upon by disunionists to take the initiative in the work of secession and to fire the southern heart. Other slave states, unwilling "to abandon their smaller sister," rapidly followed her example.

The legislature of Georgia met November 8, 1860, and on the 18th called a convention and appropriated \$1,000,000 to arm the state. On the 3d of December the legislature adopted resolutions proposing a conference of the southern states at Atlanta on the 20th of the following February. The convention met January 17, 1861, and received commissioners from South Carolina and Alabama. Resolutions were adopted declaring it the right and duty of Georgia to secede. On the 19th the ordinance of secession was passed—ayes 208, nays 89. Two days afterwards senators and representatives from Georgia withdrew from the Congress of the United States. On the 24th delegates were elected to a southern congress at Montgomery, Alabama, and on the 28th commissioners to other slave-holding states were elected. The following day the convention adopted an address to the south and the world, after which it adjourned. It re-assembled in March and ratified the "confederate constitution"—ayes 96, nays 5. On the 20th of the month an ordinance was passed authorizing the confederate government to occupy, use, and possess the forts, navy yards, arsenals, and custom houses within the limits of said state. April 26, Governor Brown issued a proclamation ordering the repudiation, by the citizens of Georgia, of all debts due northern men. Such, with slight modifications, were the steps taken by every state that seceded before the close of March, 1861. Having completed these acts, the seceded states began operations under the confederate constitution. Mississippi passed the ordinance of secession January 9, 1861; Florida, January 10; Alabama, January 11; Louisiana, January 25; Texas, February 1, and Arkansas, March

18. No other state seceded till after the beginning of hostilities in Lincoln's administration. When a state seceded it appointed commissioners to visit other slaveholding states to confer regarding the most efficient measures for the cause of secession. South Carolina appointed eight commissioners, Alabama eight, Georgia two, and Mississippi fourteen.

#### THE CONFEDERATE STATES OF AMERICA.

Between the election of Lincoln and his inauguration, a portion of the cabinet were aiding the cause of secession in every practical way. They were not molested by the President, for he stated that the executive had no authority to decide what should be the relations between the federal government and a seceded state. During the year preceding the election of Lincoln the transfer of United States arms to the south had been quietly going on under the direction of Mr. Floyd, secretary of war. The *Mobile Advertiser* upon the subject, says:

"During the past year 135,430 muskets have been quietly transferred from the northern arsenal at Springfield alone, to those in the southern states. We are much obliged to Secretary Floyd for the foresight he has thus displayed in disarming the north and equipping the south for this emergency. There is no telling the quantity of arms and munitions which were sent south from other northern arsenals. There is no doubt but that every man in the south who can carry a gun can now be supplied from private or public sources. The Springfield contribution alone would arm all the militia men of Alabama and Mississippi."

The transfer of arms was conducted quietly from the last of 1859 till the last of 1860; but when Lincoln was elected all measures connected with secession were pushed with uncommon vigor. The senators from the states farthest south controlled the movements of secession, and aided by the tele-



graph they accomplished their purpose with a rapidity to which history affords no parallel. Their leading object was to organize a new national government through which they could rally the outright secessionists, obtain the allegiance of the doubtful, and coerce those who should refuse compliance. Jefferson Davis, senator from Mississippi, was head of the senatorial group conducting the work of secession. The legislature of his state January 19, 1861, adopted resolutions inviting a congress of delegates from the seceding states to provide for a southern confederacy, and to establish a provisional government therefor. The proposal was at once accepted, and delegates appointed through the state conventions. The provisional congress thus constituted met at Montgomery, Alabama, on the 4th of February, with delegates from South Carolina, Alabama, Georgia, Florida, Louisiana, and Mississippi. Texas delegates were not chosen until February 14. A provisional constitution was adopted on the 8th of February, and the next day Jefferson Davis, of Mississippi, and Alexander H. Stevens, of Georgia, were chosen provisional President and Vice-President. They were inaugurated on the 18th. Executive departments were established, a confederate regular army was organized, and provisions for borrowing money were made. The permanent constitution was adopted March 11.

The provisional congress consisted of but one House, and legislated mainly for the regulation of civil service under the new government. Postmasters were instructed to make their final accounting to the federal government May 31, "thereafter accounting to the confederate states." Civil and military officers in the service of the United States, on joining the confederacy, received offices in the confederate service equal in rank to those they had left, or else higher positions. The provisional congress adjourned on the 16th of March, but re-assembled at Montgomery at the call of President Davis,

in consequence of the efforts which the federal government was making to enforce its authority in the south.

In the mean time Congress had met, December 3, 1860, **Thirty-sixth Congress, } and the opinion of the President on**  
**Second Session. } the question of secession was made**  
known to the country. In his message to Congress he stated his inability to find officers in the south to execute process against offenders, and expressed the opinion that it was impossible, legally, under such circumstances, to coerce the obedience of a state; such, he said, was also the opinion of the attorney-general. The President appealed to Congress to institute a constitutional amendment recognizing the rights of the southern states in regard to slavery in the territories; but he argued against secession and revolution, and expressed a determination "to collect the revenue in the ports of South Carolina by means of a naval force, and to defend the public property. The closing portion of the message is to the effect that secession is wrong, but he knew not what to do, for he did not believe that Congress could constitutionally coerce a state.

#### THE CRITTENDEN COMPROMISE.

Congress was occupied chiefly in considering propositions for conciliation. The request in the President's message to amend the constitution in the interest of slavery in the territories was referred to a committee of thirteen. Mr. Crittenden, of Kentucky, submitted a joint resolution proposing certain amendments to the constitution, but the committee rejected the compromise, and reported that "they were unable to agree upon any general plan of adjustment." Mr. Crittenden seeing that the requisite two-thirds vote of Congress on his amendment could not be obtained, submitted to the Senate a joint resolution which might be passed by a majority of both houses. It was to the effect that his rejected amendment be referred, by an ordinary act of Congress, to a direct vote of

the people of the several states. This proposition, with its modified form, was before Congress till the last day of the session, when it was defeated in the Senate by a vote of nineteen in the affirmative and twenty in the negative. The leading provisions of the Crittenden compromise were that north of the parallel of  $36^{\circ}$  and  $30'$ , slavery should be prohibited; that south of this line it should be recognized and never interfered with by Congress, and that slaves rescued from officers after arrest should be paid for by the federal government. The provisions were to be incorporated in the constitution and never altered or amended during the existence of the Union. The compromise was one of conflicting claims, and could not receive the support of either party.

Other propositions were presented, but none received the sanction of both houses except a constitutional amendment, prohibiting Congress from interfering with slavery in the states. This amendment was adopted by the legislatures of Ohio and Maryland, but the attention of other states was drawn from it by the rapid occurrence of exciting and important events.

#### THE PEACE CONVENTION.

At the invitation of the general assembly of Virginia, commissioners from thirteen free and seven border states assembled in a peace convention, February 4, 1861. The 133 delegates composing the convention endeavored to present to Congress such recommendations as would prevent the border states from seceding, and bring back to the Union the cotton states that had withdrawn. The committee to which the matters under consideration were referred, reported that the constitution should be amended so as to include the following: "In all the present territory of the United States north of the parallel of  $36^{\circ}$  and  $30'$  of north latitude, involuntary servitude, except in punishment of crime, is prohibited. In all the present territory south of that line, the status of persons held

to involuntary service or labor, as it now exists, shall not be changed; nor shall any law be passed by Congress or the territorial legislature to hinder or prevent the taking of such persons from any of the states of this Union to said territory, nor to impair the rights arising from said relation; but the same shall be subject to judicial cognizance in the federal courts, according to the course of the common law. When any territory north or south of said line, within such boundary as Congress may prescribe, shall contain a population equal to that required for a member of Congress, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original states, with or without involuntary servitude, as the constitution of such state may provide."

On the 27th of February the proposed amendment was adopted by the convention and communicated to the Senate and House of Representatives by Mr. Tyler, chairman of the convention and ex-President of the United States. Mr. Crittenden, an earnest advocate of the amendment, endeavored to bring the Senate to a vote upon the question, but in this he was unsuccessful. The recommendation of the convention met with less favor in the House than in the Senate. Leave to present it was not even allowed to the speaker.

The refusal to pass any compromise heightened the excitement in the south and enabled earnest secessionists to wield an influence for disunion in places where there was a reluctance to secede. The following telegraphic manifesto was sent from Washington, Dec. 22, 1860, by Robert Toombs:

*"Fellow Citizens of Georgia:*

"I came here to secure your constitutional rights, or to demonstrate to you that you can get no guarantee for these rights from your northern confederates. The whole subject was referred to a committee of thirteen in the Senate yester-

day. I was appointed on the committee and accepted the trust. I submitted propositions, which, so far from receiving decided support from a single member of the republican party on the committee, were all treated with either derision or contempt. The vote was then taken in committee on the amendments to the constitution, proposed by Hon. J. J. Crittenden, of Kentucky, and each and all of them were voted against, unanimously, by the black republican members of the committee. In addition to these facts a majority of the black republican members of the committee declared distinctly that they had no guarantees to offer, which was silently acquiesced in by the other members.

“The black republicans members of this committee of thirteen are representative men of their party and section, and, to the extent of my information, truly represent the committee of thirty-three in the house, which, on Tuesday adjourned for a week, without coming to any vote, after solemnly pledging themselves to vote on all propositions then before them on that date. That committee is controlled by black republicans, your enemies, who only seek to amuse you with delusive hope until your election, in order that you may defeat the friends of secession. If you are deceived by them, it shall not be my fault. I have put the test fairly and frankly. It is decisive against you; and now I tell you, upon the faith of a *true* man, that all further looking to the north for security for your constitutional rights in the Union ought to be instantly abandoned. It is fraught with nothing but ruin to yourselves and your posterity.

“Secession by the 4th of March next should be thundered from the ballot-box by the unanimous voice of Georgia on the 2d day of January next. Such a voice will be your best guarantee for liberty, security, tranquility, and glory.

“ROBERT TOOMBS.”

While compromise measures were being uselessly debated,

disunionists were pressing the work of secession with energy and ability. "Time, which should have been spent in making the federal government ready to assert its supremacy, was wasted in dallying with theoretical cures for incurable evils." Senators and representatives from the south, while debates on compromises were in progress, would occasionally withdraw from Congress, thus announcing that another state had seceded without waiting for conciliation. When a sufficient number of Congressmen had withdrawn to leave a republican majority in both houses, Kansas was admitted into the Union under the Wyandot free-state constitution, and Nevada, Colorado, and Dakota were erected into territories, "even giving the south the benefit of the Dred Scott decision therein." A tariff for the protection of manufactures became a law in 1861; this is known as the Morrill tariff. The electoral votes were counted in February, and were found to be 180 for Lincoln and Hamlin, 72 for Breckinridge and Lane, 39 for Bell and Everett, and 12 for Douglas and Johnston. Lincoln and Hamlin were therefore declared elected. After the electoral vote was counted, Congress authorized a loan and an issue of treasury notes, and adjourned March 3, 1861. The following day Lincoln and Hamlin took the oath of office.

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#### EXECUTIVE OFFICERS OF BUCHANAN'S ADMINISTRATION.

James Buchanan.....President .....1857-1861  
 John C. Breckinridge.....Vice-President .....1857-1861

#### CABINET.

Lewis Cass.....Secretary of State.....1857-1860  
 Jeremiah S. Black....." " .....1860-1861  
 Howell Cobb.....Secretary of Treasury.....1857-1860  
 Philip F. Thomas....." " " .....1860-1861  
 John A. Dix....." " " .....1861-1861  
 John B. Floyd.....Secretary of War .....1857-1861  
 Joseph Holt....." " .....1861-1861  
 Isaac Tousey.....Secretary of Navy .....1857-1861  
 Jacob Thompson.....Secretary of Interior.....1857-1861  
 Aaron V. Brown.....Postmaster-General .....1857-1859  
 Joseph Holt....." " .....1859-1861  
 Horatio King....." " .....1861-1861  
 Jeremiah S. Black.....Attorney-General .....1857-1860  
 Edwin M. Stanton....." " .....1860-1861

#### JUDICIAL OFFICERS.

Roger B. Taney .....Chief Justice.....1836-1864

#### LEGISLATIVE OFFICERS.

Benjamin Fitzpatrick.....President of the Senate *pro tempore*..1859-1860  
 Jesse D. Bright....." " " .....1860-1860  
 Benjamin Fitzpatrick....." " " .....1860-1861  
 Solomon Foot....." " " .....1861-1861  
 James L. Orr.....Speaker of the House.....1858-1859  
 William Pennington....." " " .....1860-1861

#### EXECUTIVE OFFICERS OF JEFFERSON DAVIS' ADMINISTRATION.

Jefferson Davis.....President.....1861-1865  
 Alexander H. Stephens.....Vice-President.....1861-1865

#### CABINET.

Robert Toombs .....Secretary of State.....1861-1861

R. M. T. Hunter.....	Secretary of State.....	1861-1862
Judah P. Benjamin.....	“ “ .....	1862-1865
Charles G. Memminger.....	Secretary of Treasury.....	1861-1864
James L. Trenholm.....	“ “ .....	1864-1865
L. Pope Walker .....	Secretary of War .....	1861-1861
Judah P. Benjamin.....	“ “ .....	1861-1862
James A. Seddon.....	“ “ .....	1862-1865
John C. Breckinridge.....	“ “ .....	1865-1865
Stephen R. Mallory.....	Secretary of Navy.....	1861-1865
Judah P. Benjamin.....	Attorney-General.....	1861-1861
Thomas H. Watts.....	“ “ .....	1861-1862
George Davis.....	“ “ .....	1862-1865
John H. Reagan .....	Postmaster-General.....	1861-1862
Henry J. Elliot.....	“ “ .....	1862-1865

#### THE SOUTH CAROLINA DECLARATION OF INDEPENDENCE.

The state of South Carolina, having determined to resume her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the causes which have led to this act.

In the year 1765, that portion of the British empire embracing Great Britain, undertook to make laws for the government of that portion composed of the thirteen American colonies. A struggle for the right of self-government ensued, which resulted, on the 4th of July, 1776, in a declaration by the colonies, “that they are, and of right ought to be, free and independent states, and that, as free and independent states, they have full power to levy war, to conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do.”

They further solemnly declared, that whenever any “form of government becomes destructive of the ends for which it was established, it is the right of that people to alter or abolish it, and to institute a new government.” Deeming the government of Great Britain to have become destructive of these ends, they declared that the colonies “are absolved from all allegiance to the British crown, and that all political connection between them and the states of Great Britain is and ought to be totally dissolved.”

In pursuance of this declaration of independence, each of the thirteen states proceeded to exercise its separate sovereignty; adopted for itself a constitution, and appointed officers for the administration of government



in all its departments—legislative, executive, and judicial. For purposes of defense, they united their arms and their counsels; and, in 1778, they united in a league, known as the articles of confederation, whereby they agreed to intrust the administration of their external relations to a common agent, known as the Congress of the United States, expressly declaring, in the first article, “that each state retains its sovereignty, freedom and independence, and every power, jurisdiction, and right which is not, by this confederation, expressly delegated to the United States in Congress assembled.”

Under this consideration the war of the Revolution was carried on, and on the 3d of September, 1783, the contest ended, and a definite treaty was signed by Great Britain, in which she acknowledged the independence of the colonies in the following terms:

Article 1.—His Britannic Majesty acknowledges the said United States, viz: New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantation, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to be free, sovereign, and independent states; that he treats them as such; and for himself, his heirs, and successors, relinquishes all claims to the government, proprietary and territorial rights of the same, and every part thereof.

Thus was established the two great principles asserted by the colonies, namely, the right of a state to govern itself, and the right of a people to abolish a government when it becomes destructive of the ends for which it was instituted. And concurrent with the establishment of these principles was the fact, that each colony became and was recognized by the mother country as a free, sovereign, and independent state.

In 1787, deputies were appointed by the states to revise the articles of confederation, and on September 17th, 1787, the deputies recommended for the adoption of the states the articles of union known as the constitution of the United States.

The parties to whom the constitution was submitted were the several sovereign states; they were to agree or disagree, and when nine of them agreed, the compact was to take effect among those concurring; and the general government, as the common agent, was then to be invested with their authority.

If only nine of the thirteen states had concurred, the other four would have remained as they then were—separate, sovereign states, independent of any of the provisions of the constitution. In fact, two of the states did not accede to the constitution until long after it had gone into operation among the other eleven; and during that interval, they exercised the functions of an independent nation.

By this constitution, certain duties were charged on the several states,

and the exercise of certain of their powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people. On the 23d of May, 1788, South Carolina, by a convention of her people, passed an ordinance assenting to this constitution, and afterwards altering her own constitution, to conform herself to the obligations she had undertaken.

Thus was established, by compact between the states, a government, with defined objects and powers, limited to the express words of the grant, and to so much more only as was necessary to execute the power granted. The limitation left the whole remaining mass of power subject to the clause reserving it to the state or to the people, and rendered unnecessary any specification of reserved rights.

We hold that the government thus established is subject to the two great principles asserted in the declaration of independence, and we hold further that the mode of its formation subjects it to a third fundamental principle, namely—the law of compact. We maintain that in every compact between two or more parties, the obligation is mutual—that the failure of one of the contracting parties to perform a material part of the agreement entirely released the obligation of the other, and that, where no arbiter is appointed, each party is remitted to his own judgment to determine the fact of failure with all its consequences.

In the present case that fact is established with certainty. We assert that fifteen of the states have deliberately refused for years past to fulfill their constitutional obligations, and we refer to their own statutes for the proof.

The constitution of the United States, in its 4th article, provides as follows:

“No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from any service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.”

This stipulation was so material to the compact that without it that compact would not have been made. The greater number of the contracting parties held slaves, and the state of Virginia had previously declared her estimate of its value by making it the condition of cession of the territory which now compose the states north of the Ohio river.

The same article of the constitution stipulates also for the rendition by the several states of fugitives from justice from the other states.

The general government, as the common agent, passed laws to carry into effect these stipulations of the states. For many years these laws were executed. But an increasing hostility on the part of the northern states to the institution of slavery, has led to a disregard of their obligations, and

the laws of the general government have ceased to effect the objects of the constitution. The states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Ohio, Michigan, Wisconsin, and Iowa, have enacted laws which either nullify the acts of Congress, or render useless any attempt to execute them. In many of these states the fugitive is discharged from the service of labor claimed, and in none of them has the state government complied with the stipulation made in the constitution. The state of New Jersey, at an early day, passed a law for the rendition of fugitive slaves in conformity with her constitutional undertaking; but the current of anti-slavery feeling has led her more recently to enact laws which render inoperative the remedies provided by her own law and by the laws of Congress. In the state of New York even the right of transit for a slave has been denied by her tribunals, and the states of Ohio and Iowa have refused to surrender to justice fugitives charged with murder and inciting servile insurrection, in the state of Virginia. Thus the constitutional compact has been deliberately broken and disregarded by the non-slaveholding states, and the consequence follows that South Carolina is released from its obligations.

The ends for which this constitution was framed are declared by itself to be "to form a more-perfect union, establish justice, insure domestic tranquillity, provide for the common defense, protect the general welfare, and secure the blessings of liberty to ourselves and posterity."

These ends it endeavored to accomplish by a federal government, in which each state was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized by giving to free persons distinct political rights; by giving them the right to represent, and burdening them with direct taxes for three-fifths of their slaves; by authorizing the importation of slaves for twenty years, and by stipulating for the rendition of fugitives from labor.

We affirm that these ends for which this government was instituted have been defeated, and the government itself has been made destructive of them by the action of the non-slaveholding states. These states have assumed the right of deciding upon the propriety of our domestic institutions, and have denied the rights of property established in fifteen of the states and recognized by the constitution; they have denounced as sinful the institution of slavery; they have permitted the open establishment among them of societies whose avowed object is to disturb the peace and to eloin the property of the citizens of other states. They have encouraged and assisted thousands of our slaves to leave their homes, and those who remain have been incited by emissaries, books, and pictures to servile insurrection.

For twenty-five years, this agitation has been steadily increasing, until it has now secured to its aid the power of the common government. Ob-

serving the forms of the constitution, a sectional party has found within that article establishing the executive department the means of subverting the constitution itself. A geographical line has been drawn across the Union, and all the states north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common government, because he has declared that that "government can not endure permanently half slave, half free," and that the public mind must rest in the belief that slavery is in the course of ultimate extinction.

This sectional combination for the subversion of the constitution has been aided in some of the states by elevating to citizenship persons, who, by the supreme law of the land, are incapable of becoming citizens, and their votes have been used to inaugurate a new policy hostile to the south, and destructive of its peace and safety.

On the 4th of March next, this party will take possession of the government. It has announced that the south shall be excluded from the common territory; that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.

The guarantees of the constitution will then no longer exist; the equal rights of the states will be lost. The slaveholding states will no longer have the power of self-government or self-protection, and the federal government will have become their enemies.

Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain by the fact that public opinion at the north has invested a great political error with the sanctions of a more erroneous religious belief.

We, therefore, the people of South Carolina, by our delegates in convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the union heretofore existing between this state and the other states of North America is dissolved, and that the state of South Carolina has resumed her position among the nations of the world as a free, sovereign, and independent state, with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do.

And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

## 1860.—CONSTITUTIONAL UNION PLATFORM,

*Baltimore, May 9.*

WHEREAS, Experience has demonstrated that platforms adopted by the partisan conventions of the country have had the effect to mislead and deceive the people, and at the same time to widen the political divisions of the country, by the creation and encouragement of geographical and sectional parties; therefore,

*Resolved*, That it is both the part of patriotism and of duty to recognize no political principles other than THE CONSTITUTION OF THE COUNTRY, THE UNION OF THE STATES, AND THE ENFORCEMENT OF THE LAWS; and that as representatives of the constitutional union men of the country, in national convention assembled, we hereby pledge ourselves to maintain, protect, and defend, separately and unitedly, these great principles of public liberty and national safety against all enemies at home and abroad, believing that thereby peace may once more be restored to the country, the rights of the people and of the states re-established, and the government again placed in that condition of justice, fraternity, and equality, which, under the example and constitution of our fathers, has solemnly bound every citizen of the United States to maintain a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

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## 1860.—REPUBLICAN PLATFORM,

*Chicago, May 17.*

*Resolved*, That we, the delegated representatives of the republican electors of the United States, in convention assembled, in discharge of the duty we owe to our constituents and our country, unite in the following declarations:

1. That the history of the nation, during the last four years, has fully established the propriety and necessity of the organization and perpetuation of the republican party, and that the causes which called it into existence are permanent in their nature, and now, more than ever before, demand its peaceful and constitutional triumph.

2. That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the federal constitution, "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among

men, deriving their just powers from the consent of the governed," is essential to the preservation of our republican institutions; and that the federal constitution, the rights of the states, and the union of the states, must and shall be preserved.

3. That to the union of the states this nation owes its unprecedented increase in population, its surprising development of material resources, its rapid augmentation of wealth, its happiness at home and its honor abroad; and we hold in abhorrence all schemes for disunion, come from whatever source they may; and we congratulate the country that no republican member of Congress has uttered or countenanced the threats of disunion so often made by democratic members, without rebuke and with applause from their political associates; and we denounce those threats of disunion, in case of a popular overthrow of their ascendancy, as denying the vital principles of a free government, and as an avowal of contemplated treason, which it is the imperative duty of an indignant people sternly to rebuke and forever silence.

4. That the maintenance inviolate of the rights of the states, and especially the right of each state to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion, by armed force, of the soil of any state or territory, no matter under what pretext, as among the gravest of crimes.

5. That the present democratic administration has far exceeded our worst apprehensions, in its measureless subserviency to the exactions of a sectional interest, as especially evinced in its desperate exertions to force the infamous Lecompton constitution upon the protesting people of Kansas; in construing the personal relations between master and servant to involve an unqualified property in persons; in its attempted enforcement, everywhere, on land and sea, through the intervention of Congress and of the federal courts, of the extreme pretensions of a purely local interest; and in its general and unvarying abuse of the power entrusted to it by a confiding people.

6. That the people justly view with alarm the reckless extravagance which pervades every department of the federal government; that a return to rigid economy and accountability is indispensable to arrest the systematic plunder of the public treasury by favored partisans; while the recent startling developments of frauds and corruptions at the federal metropolis, show that an entire change of administration is imperatively demanded.

7. That the new dogma, that the constitution, of its own force, carries slavery into any or all of the territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instru-

ment itself, with contemporaneous exposition, and with legislative and judicial precedent—is revolutionary in its tendency, and subversive of the peace and harmony of the country.

8. That the normal condition of all the territory of the United States is that of freedom; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that “no person shall be deprived of life, liberty, or property, without due process of law,” it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the constitution against all attempts to violate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to slavery in any territory of the United States.

9. That we brand the recent re-opening of the African slave trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity and a burning shame to our country and age; and we call upon Congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

10. That in the recent vetoes, by their federal governors, of the acts of the legislatures of Kansas and Nebraska, prohibiting slavery in those territories, we find a practical illustration of the boasted democratic principle of non-intervention and popular sovereignty, embodied in the Kansas-Nebraska bill, and a demonstration of the deception and fraud involved therein.

11. That Kansas should, of right, be immediately admitted as a state under the constitution recently formed and adopted by her people, and accepted by the House of Representatives.

12. That, while providing revenue for the support of the general government by duties upon imports, sound policy requires such an adjustment of these imports as to encourage the development of the industrial interest of the whole country; and we commend that policy of national exchanges which secures to the working men liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence.

13. That we protest against any sale or alienation to others of the public lands held by actual settlers, and against any view of the homestead policy which regards the settlers as paupers or suppliants for public bounty; and we demand the passage by Congress of the complete and satisfactory homestead measure which has already passed the House.

14. That the republican party is opposed to any change in our naturalization laws, or any state legislation by which the rights of citizenship hitherto accorded to immigrants from foreign lands shall be abridged or

impaired; and in favor of giving a full and efficient protection to the rights of all classes of citizens, whether native or naturalized, both at home and abroad.

15. That appropriations by Congress for river and harbor improvements of a national character, required for the accommodation and security of an existing commerce, are authorized by the constitution and justified by the obligations of government to protect the lives and property of its citizens.

16. That a railroad to the Pacific ocean is imperatively demanded by the interest of the whole country; that the federal government ought to render immediate and efficient aid in its construction; and that as preliminary thereto, a daily overland mail should be promptly established.

17. Finally, having thus set forth our distinctive principles and views, we invite the co-operation of all citizens, however differing on other questions, who substantially agree with us in their affirmance and support.

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#### 1860.—DEMOCRATIC (DOUGLAS) PLATFORM,

*Charleston, April 23, and Baltimore, June 18.*

1. *Resolved*, That we, the democracy of the Union, in convention assembled, hereby declare our affirmance of the resolutions unanimously adopted and declared as a platform of principles by the democratic convention at Cincinnati, in the year 1856, believing that democratic principles are unchangeable in their nature when applied to the same subject-matters; and we recommend, as the only further resolutions, the following:

Inasmuch as differences of opinion exist in the democratic party as to the nature and extent of the powers of a territorial legislature, and as to the powers and duties of Congress, under the constitution of the United States, over the institution of slavery within the territories:

2. *Resolved*, That the democratic party will abide by the decisions of the Supreme Court of the United States on the questions of constitutional law.

3. *Resolved*, That it is the duty of the United States to afford ample and complete protection to all its citizens, whether at home or abroad, and whether native or foreign.

4. *Resolved*, That one of the necessities of the age, in a military, commercial, and postal point of view, is speedy communication between the Atlantic and Pacific states; and the democratic party pledge such constitutional government aid as will insure the construction of a railroad to the Pacific coast at the earliest practicable period.

5. *Resolved*, That the democratic party are in favor of the acquisition



of the island of Cuba, on such terms as shall be honorable to ourselves and just to Spain.

6. *Resolved*, That the enactments of state legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect.

7. *Resolved*, That it is in accordance with the true interpretation of the Cincinnati platform, that, during the existence of the territorial governments, the measure of restriction, whatever it may be, imposed by the federal constitution on the power of the territorial legislature over the subject of domestic relations, as the same has been, or shall hereafter be, finally determined by the Supreme Court of the United States, shall be respected by all good citizens, and enforced with promptness and fidelity by every branch of the general government.

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#### 1860.—DEMOCRATIC (BRECKINRIDGE) PLATFORM,

*Charleston and Baltimore.*

*Resolved*, That the platform adopted by the democratic party at Cincinnati be affirmed, with following explanatory resolutions:

1. That the government of a territory, organized by an act of Congress, is provisional and temporary; and, during its existence, all citizens of the United States have an equal right to settle, with their property, in the territory, without their rights, either of person or property, being destroyed or impaired by congressional or territorial legislation.

2. That it is the duty of the federal government, in all its departments to protect, when necessary, the rights of persons and property in the territories, and wherever else its constitutional authority extends.

3. That when the settlers in a territory having an adequate population, form a state constitution in pursuance of law, the right of sovereignty commences, and, being consummated by admission into the Union, they stand on an equal footing with the people of other states, and the state thus organized ought to be admitted into the federal Union, whether its constitution prohibits or recognizes the institution of slavery.

4. That the democratic party are in favor of the acquisition of the island of Cuba, on such terms as shall be honorable to ourselves and just to Spain, at the earliest practicable moment.

5. That the enactments of state legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect.

6. That the democracy of the United States recognize it as the imperative duty of this government to protect the naturalized citizen in all his

rights, whether at home or in foreign lands, to the same extent as its native-born citizens.

*Whereas*, One of the greatest necessities of the age, in a political, commercial, postal, and military point of view, is a speedy communication between the Pacific and Atlantic coasts; therefore, be it

*Resolved*, That the democratic party do hereby pledge themselves to use every means in their power to secure the passage of some bill, to the extent of the constitutional authority of Congress, for the construction of a Pacific railroad from the Mississippi river to the Pacific ocean, at the earliest practicable moment.

## CHAPTER XVIII.

## LINCOLN'S ADMINISTRATION.

1861—1865.

## INAUGURATION.

The administration of Lincoln, as foreseen by all, was to be a stormy period in American politics. However, the far-reaching sweep of events, soon to transpire, was scarcely within the vision of the most prophetic eye. The country everywhere felt a sense of insecurity. In Washington the friends of the President-elect, apprehensive of danger, took steps to provide for his personal safety. It was believed they had discovered a conspiracy to assassinate Mr. Lincoln while going through Baltimore. Reposing implicit confidence in the people, it was difficult for him to understand, after his triumphal passage through three great states, that such a purpose to thwart the decision of the ballot-box should exist anywhere in the Union. But evidence thickened and he passed Baltimore, in disguise, arriving at Washington about the time he was expected to leave Harrisburg.

From February 23d till March 4th was spent in the capital. He was cordially received by Mr. Buchanan and introduced to his cabinet, then in session. The members of the peace congress visited him, and distinguished citizens and official bodies welcomed him.

Monday morning, the 4th of March, 1861, a vast concourse, of every party and shade of political opinion, thronged the city. And although a spark would have kindled the passion of the hour into a flame, the inauguration was accomplished deliberately and without bloodshed.

The ceremonies of inauguration, always impressive, were surrounded with painful solicitude. The vast crowd witnessed the unprecedented spectacle of a number of vacant places among the members of the Senate and House, occasioned by resignations to join the rising southern confederacy. The judges of the Supreme Court were there, Chief Justice Taney attracting attention because of his known pro-slavery principles. Many officers of the army and navy, ministers from foreign courts, and distinguished party leaders, noted with critical eye every movement in the historic scene.

Mr. Lincoln appeared, accompanied by the retiring President, Mr. Buchanan, and by Mr. Douglas, whose friendship at that time could not be too highly appreciated. The oath of office was administered by Chief Justice Taney, Hannibal Hamlin having already received the oath of office as Vice-President, and the newly elected senators having been sworn in.

#### INAUGURAL ADDRESS.

No man had ever approached so great an occasion with more ability. Firmness, prudence, and humility were so equally blended in the address that, for a time, it disarmed his enemies, and his friends were not quite sure of the strength of his purpose till they had given his words a calm consideration. Its influence was pacific. For a moment all parties were stilled. The abolition element, at the north, felt that it was too conciliatory; the secessionists were incensed by the very calmness which pervaded it; the masses throughout the northern and western states approved, and the "border states" were satisfied. But few comprehended its grasp on the possibilities that lay in the nation's pathway. He re-affirmed the distinguishing feature of the platform on which he was nominated, which declared the "right of each state to order and control its own domestic institutions according to its own judgment exclusively," but construed the

articles of association of 1774, the Declaration of Independence of 1776, the articles of confederation of 1778, with the constitution of 1887, so as to make it "impossible" for a state "lawfully," "upon its own mere motion to get out of the Union;" and promised that the Union of all the states, would, under the constitution, "defend and maintain itself," while all the power confided to him should be used "to hold, occupy, and possess the property and places belonging to the government."

#### LINCOLN'S CABINET.

In the selection of his cabinet Mr. Lincoln manifested rare judgment. It was thoroughly republican, and left no section or state, where there was a pronounced Union sentiment, without representation. William H. Seward, of New York, secretary of state, and Salmon P. Chase, of Ohio, secretary of the treasury, were thoroughly in accord with the anti-slavery element of the country; General Simon Cameron, of Pennsylvania, who believed a prolonged war inevitable, secretary of war; Gideon Wells, of Connecticut, secretary of the navy, and Caleb B. Smith, of Indiana, secretary of the interior, were both popular men; while Edward Bates, of Missouri, attorney-general, and Montgomery Blair, of Maryland, postmaster-general, were selected from states as far south as the administration could go.

#### ATTEMPTED ADJUSTMENT OF DIFFICULTIES.

Mr. Seward, secretary of state, received, as early as the 11th of March, "through the kind offices of a distinguished senator," a request from Mr. John Forsyth, of Alabama, and Mr. Martin J. Crawford, of Georgia, for an unofficial interview; but the nature of the proposed interview was such that, from "considerations of public policy," it was respectfully declined. This was followed by a written communication from these gentlemen, then in Washington, under date of

March 12, sealed, and delivered on the 13th to Mr. Seward's assistant. This was intended as an official document. In it Messrs. Forsyth and Crawford claim to be "accredited commissioners of the Confederate States of America, to the government of the United States." They represented that seven states had "withdrawn from the United States, and formed a government of their own." They said the "Confederate States constituted an independent nation, *de facto* and *de jure*, possessing a government perfect in all its parts, and endowed with all means of self-support;" and closed by requesting a speedy interview, that they might present their credentials to the President of the United states, and lay before him the mission with which they had been entrusted, for the "future welfare of the two nations."

To this bold declaration Secretary Seward replied, stating that he had the honor to submit to them a copy of Mr. Lincoln's inaugural address, a simple reference to which would satisfy those gentlemen that, guided by the principles therein laid down, the secretary was altogether prevented from admitting or assuming that the states referred to by them had, in law or in fact, withdrawn from the federal Union, or that they could do so in the manner assumed. He also refused to appoint a day on which they might present their credentials, and refused to "recognize them as diplomatic agents," or to "hold correspondence with them." He closed by assuring them that the President had been consulted, and that he declined any official intercourse with them.

This correspondence seems sufficiently explicit, and shows the determined purpose on both sides that no concessions were to be made. But there were yet at Washington, and high in civil and political circles, some who entertained hopes of some kind of amicable adjustment, whether through compromise or by disunion does not clearly appear. Prominent among these was John A. Campbell, a citizen of Alabama,

and member of the Supreme Court. Judge Campbell interposed his friendly offices in behalf of the claims of Messrs. Forsyth and Crawford, and seems to have thought, at one time, he would be successful. He addressed Secretary Seward, under date of April 13, complaining that certain conversations with reference to sending supplies to Fort Sumter had led him to expect a different result in the action of the government. His impression was that Fort Sumter would have been peaceably evacuated, and he had assured the aforesaid confederate commissioners that no measure "prejudicious" to the southern confederate states was contemplated on the 15th of March. He claimed that the southern leaders were acting under the impression that "systematic duplicity" had been exercised toward them, in which impression he seemed to fully share; and concluded by demanding an explanation.

To this no reply was made, since it would have been, indirectly, giving an account of the government for its actions to Messrs. Forsyth and Crawford.

In the meantime, these gentlemen having failed to obtain an audience as the representatives of a distinct nation, addressed another letter to Secretary Seward, April 9, in which they claimed for the confederacy the rights springing from a "manifest and accomplished revolution;" and accepting for their government and people, as they expressed it, "the gauge of battle," which they claimed had been thrown down by the United States when it refused them official recognition.

Whatever misunderstanding existed in regard to negotiations for peace, or in regard to possessing and holding the United States forts on the southern coast, is easily explained by the fact that the parties were working at cross purposes. One was demanding peace and the Union; the other asked peace with disunion. And if, as claimed, the President wa-

vered as to the propriety of maintaining the garrison in Fort Sumter, it could have been but a question of policy as to that particular place, as no word or act of Mr. Lincoln, which has come to us through history, contradicts his avowed purpose that the Union should "maintain itself."

During this period, and for some time after, many officers of the regular army, following the example of seceding states and resigning congressmen, dropped their uniforms and obligations, and assumed commands in the fastly forming confederate army. They justified their action on their claim to state citizenship, through the doctrine of state sovereignty. Everywhere in the south the idea prevailed that allegiance to a state was paramount to any obligation to the national government. On this plea, officers of the army, to the number of about two hundred, with General Robert E. Lee at their head, wheeled into line with the southern battalions. General David E. Twiggs, second in rank among the officers of the United States army, and commandant of the department of Texas, during Buchanan's administration, was notably influential in his active co-operation with the secession cause.

#### THE BORDER STATES.

While a majority of the people in the border states of Maryland, Virginia, Kentucky, and Missouri, together with those of North Carolina, Tennessee, and Arkansas, were in sympathy with the south, they did not believe in secession. One obvious reason for this was the fact that in the event of a war for the restoration of the Union, their territory would evidently be the battlefield. Besides, there were large sections of these states where slaves were few, and the people, consequently, did not feel the interest, pecuniarily, in making slavery the corner-stone of a new empire that was elsewhere expressed. But there were enough secessionists, wealthy and



influential, to contribute men and money in answer to the calls of President Davis, and to keep their demand for disunion constantly and imperiously before the public. This pervading sentiment of sympathy with and preference for the south, at the same time hesitating to join the rebellion, was nowhere better expressed than in the language of Governor Hicks, of Maryland. He had been memorialized by a large number of citizens, among them ex-Governor Pratt, demanding a call of the legislature to express the views and position of Maryland on the situation. He answered, November 27, 1860, refusing to convene the legislature, and January 3, following, in an address to his people, said: "I have been told that the position of Maryland should be defined, so that both sections could understand it. Do any really misunderstand her position? Who that wishes to understand it can fail to do so? If the action of the legislature would be simply to declare that Maryland is with the south in sympathy and feeling; that she demands from the north the repeal of offensive, unconstitutional statutes, and appeals to it for new guarantees; that she will wait a reasonable time for the north to purge her statute books, so as to do justice to her southern brethren, and, if appeals are vain, will make her common cause with her sister border states in resistance to tyranny, if need be, it would only be saying what the whole country well knows, and what may be said much more effectually by her people themselves, in their meetings, than by the legislature, chosen eighteen months since, when none of these questions were raised before them. That Maryland is a conservative southern state all know who know anything of her people or her history."

But the Maryland legislature was at last convened by Governor Hicks, meeting at Fredericksburg. By a unanimous vote in the Senate, and a majority of 53 to 13, it refused to secede. But a state board of safety, with consid-

erable powers, was appointed. Its members, with one exception, were in sympathy with the south. On the 10th of May, 1861, the legislature passed resolutions declaring that Maryland desired and consented to the recognition of the independence of the confederate states; that the war on the part of the United States was unconstitutional; but recognizing the obligations of Maryland to the Union, and praying the President, in the name of God, to stop the unholy war.

Maryland never seceded, and her course, however viewed, was a consistent state sovereignty example.

The legislature of Delaware convened January 2, 1861. Governor Benton, in his message, held the abolitionists responsible for all the trouble, and asserted that the north should retire from her untenable position immediately. Mr. Dickenson, a commissioner from Mississippi, addressed the Senate and House jointly in favor of secession. But they passed a resolution, unanimously, disapproving of Mr. Dickenson's "remedy" for existing difficulties.

The Missouri legislature passed a law, January 16, 1861, calling a state convention, which met, and on the 9th of March resolved that there was no adequate cause to impel Missouri to dissolve her connection with the federal Union. But the legislature took active steps to provide against danger by appointing a strong military police force for the city of St. Louis; and Governor Jackson issued a call, June 11th, for 50,000 volunteers to drive out the federal troops as invaders of the soil of Missouri. In the meantime Captain Lyon and Colonel Blair had taken control of St. Louis and vicinity at the head of 6,000 troops. Governor Jackson, General Price, and thousands of Missourians retired southward, fighting as they retreated.

Governor Magoffin called the legislature of Kentucky together. They met January 17, 1861, but refused to issue a call for a convention. It was decidedly a Union legislature,

a majority of whom were in favor of a peace congress at Washington. The election for delegates to a peace convention, held May 4, gave 50,000 Union majority. A states-rights convention was called to meet at Frankfort, March 22, but accomplished nothing. Finally, on the election of congressmen to the extra session, called by President Lincoln, nine unionists and one secessionist were elected. The vote was 92,365 for the Union, and but 36,995 against it.

The Arkansas convention was visited, March 16, 1861, by W. S. Oldham, bearing a letter from President Davis. Said letter, of March the 9th, was an argument in favor of secession. A vote resulted in thirty-nine against secession to thirty-five in favor of it; but as a compromise it was agreed to submit the question of secession to the people for ratification or rejection on the first Monday in August. But before the time came, the convention re-assembled and voted sixty-nine to one in favor of secession. The fact that South Carolina had fired on Sumter, and war was imminent, explains the swift change that came over that convention.

#### MILITARY LEAGUES.

Governor Ellis, of North Carolina, took possession of the federal forts near Beaufort and Wilmington, January 2, 1861. He then called an extra session of the legislature, which met and called a convention, submitting the call to a vote of the people. At the election there were 46,672 votes for, and 47,323 against holding the convention. The aggressive spirit of secession, however, undaunted by defeat, called a states-rights convention at Raleigh, on the 22d of March, which was largely attended. Eminent counselors were there from South Carolina and Virginia, but no decided step was taken. Immediately after the storming of Fort Sumter, however, Governor Ellis took possession of the United States arsenal at Fayetteville, and of the branch mint at Charlotte. This

occurred April 20, and was followed immediately by the assembling of the legislature, which passed a resolution tendering all the state troops, not needed for home defense, to Virginia, or to the Southern Confederacy, to be controlled by it. Thus early was North Carolina arrayed in battle against the federal government.

But the precise character of what was known as a "Military League" is best seen in the action of the secessionists in Tennessee. The legislature had met on the 7th of January, 1861, at Nashville. Eastern Tennessee, under the leadership of Governor Brownlow and Andrew Johnson, was intensely loyal. Consequently the call for a convention had to be modified by submitting the call to a vote of the people for instruction. The vote resulted in a majority of more than 60,000 for the Union. It was evident to all that Tennessee could not be voted out of the Union. But this did not discourage the true friends of the confederacy. One of their most remarkable efforts to secure by political intrigue what could not otherwise be accomplished, was seen in the action of the legislature of Tennessee. In secret session they passed a resolution authorizing the governor to "appoint three commissioners on the part of Tennessee, to enter into a military league with the authorities of such slave-holding states as might wish to enter it, having in view the defense and protection of the entire south against the war which is now being carried on against it." These commissioners were instantly appointed, and at once entered into a conventional agreement with the Confederate States, whose agent, Henry W. Hilliard, was present for that purpose, by which it was provided that "the whole military force and military operations, offensive and defensive, of said state, in the impending conflict with the United States, shall be under the chief control and direction of the Confederate States." This agreement was immediately reported to the legislature, yet in

secret session, and ratified by a vote of 14 to 6 in the Senate, and 43 to 15 in the House. And this same legislature also passed an ordinance of secession to be submitted to the people for approval; but the times were becoming too tumultuous for elections, and the military league stood solely on the authority of the legislature.

Virginia called a convention, the majority of whom were elected as unionists. On the 17th of April, 1861, they passed an ordinance of secession, providing for its submission to the popular vote. But the leaders could not wait. A. H. Stephens, Vice-President of the confederacy, visited them, and the convention entered into an agreement whereby the whole military power of Virginia was transferred to the control of the confederate states, "upon the same footing as if the said commonwealth were now (May 3d) a member of said confederacy."

These leagues made with the confederacy by the legislatures of states reluctant to secede, allowed confederate troops to swarm over their territory, thus influencing the people in favor of disunion.

#### WEST VIRGINIA.

The proceedings of the Virginia convention were highly displeasing to all that portion of the state lying north of the Alleghany Mountains. Many of their delegates returned home to participate in meetings enthusiastic for the Union. A convention was called, which met at Wheeling on the 13th of May, and represented thirty-five counties. They called a provisional convention to meet on the 11th of June, the delegates to be elected on the 26th of May. In that convention resolutions were passed declaring all state offices vacant where the incumbents were in rebellion against the general government. A proposition to divide the state passed unanimously. On the same day, June 20, Francis H. Pierpoint, an active unionist, was chosen Governor, and an executive coun-

cil was appointed. This action was yet in the name of Virginia, and proceeded on the assumption that the loyal element constituted the state. This view was substantially approved by the United States Congress. A legislature was convened at Wheeling, to which all the counties of the state had opportunity to send representatives, if they desired, as it was chosen on the usual day of election, and met by virtue of the constitution of the state of Virginia. This legislature agreed with the convention, and the new state of West Virginia was formed.

#### BOMBARDMENT OF FORT SUMTER.

It was necessary that sectional feeling should be excited to its highest pitch in order to consolidate the south. This fact was foreseen by many of the southern leaders, but the reaction which it occasioned at the north was far greater than they anticipated. It is possible that the south lost more than she gained by firing on Fort Sumter.

President Lincoln notified Governor Pickens, of South Carolina, that supplies would be sent to Fort Sumter peaceably, or otherwise if necessary. This fact was at once reported to the authorities at Montgomery, and on the 10th of April, 1861, the confederate secretary of war authorized General Beauregard to demand the evacuation of the fort, with liberty to proceed according to his own judgment in case of refusal. At 2 o'clock P. M., General Beauregard demanded the evacuation of the fort, on the ground that the confederate states could no longer permit a fortification beyond its control within reach of one of its harbors. Major Anderson, commanding Fort Sumter, declined to evacuate it; and in reply to a demand as to when he would be willing to evacuate, replied that he would do so at noon on the 15th, providing he did not receive controlling instructions from his government or additional supplies. This answer is explained by the fact that the garrison would soon have to succumb on

account of starvation, a fact known to the southern authorities, and to the public generally. The reason for the immediate attack on the fort, then, lies in the fact that there was probability of help for the little garrison. At 3:20 A. M., on the 12th of April, General Beauregard, acting under orders from Montgomery, opened fire for the reduction of the fort.

The southern leaders were pleased to regard the President's determination to supply a garrison of the United States, in one of its own forts, at all hazards, as virtually an act of offensive war against the south; but the fact remains that the active bombardment of a United States fort, for hours, by authority of the confederate secretary of war, before a shot was fired in defense, was understood by the masses of the people as a demonstration of the purpose of the south to initiate war. This conviction was so deep that no amount of argument could ever change the opinion of the country in regard to it.

Roger A. Pryor had said at Richmond, Virginia, in a notable speech, "I will tell you, gentlemen, what will put Virginia into the Southern Confederacy in less than an hour by Shrewsbury clock—STRIKE A BLOW! *The very moment that blood is shed, old Virginia will make common cause with her sister states of the south.*"

Mr. Gilchrist, a member of the Alabama legislature, said, in conversation with Jefferson Davis and other notables, "Unless you sprinkle blood in the faces of *the people, Alabama will be back in the Union in ten days.*" This was uttered the day before the batteries were opened on Fort Sumter.

This willingness for the "gauge of battle" was now satisfied. A "blow" had been struck! Blood had been "sprinkled in the faces of the people!" It was hailed with delight throughout the south. It flashed through the north, arous-

ing the people everywhere to face the reality of internecine war.

#### LINCOLN'S CALL FOR 75,000 TROOPS.

Fort Sumter had surrendered to the disunion forces on the 13th of April, 1861. The proclamation of the President calling for 75,000 volunteer troops, to suppress "combinations" that obstructed the execution of the laws of the United States in South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, was issued Monday, the 13th, and was received throughout the north and west as a most righteous measure.

The President ordered the lawless combinations, alluded to in his proclamation, to disperse within twenty days, and called an extra session of Congress to convene on the 4th of July. His secretary of war issued to each state, except California and Oregon, a circular stating the quota of men each was required to furnish. The governors of the free states, except those on the Pacific coast, were all republicans, except Governor Sprague, of Rhode Island, who was a conservative. He quickly furnished the men asked for by the President, and volunteered to go with them to Washington. The governors, the press, and the people of the north, as a rule, were satisfied that the national honor required vindication, and the 75,000 troops were furnished with alacrity.

#### REPLY OF SOUTHERN GOVERNORS.

The governors of the border states responded in terms haughty and defiant. Governor Letcher, of Virginia, accused the President of inaugurating civil war for the purpose of subjugating the south, saying "the militia of Virginia will not be furnished to the powers at Washington for any such purpose as they have in view." Governor Ellis, of North Carolina, characterized the call for troops as a "violation of



the constitution and a usurpation of power," and closed by saying: "You can get no troops from North Carolina."

Governor Magoffin, of Kentucky, replied: "Kentucky will furnish no troops for the wicked purpose of subduing her sister southern states."

Governor Harris, of Tennessee, said: "Tennessee will not furnish a single man for coercion, but 50,000, if need be, for the defense of our rights or of our southern brethren."

Governor Jackson, of Missouri, in emphatic language, responded: "Your requisition is illegal, unconstitutional, revolutionary, inhuman, diabolical, and can not be complied with." Governor Rector, of Arkansas, curtly said: "None will be furnished. The demand is only adding insult to injury."

Governor Burton, of Delaware, in his proclamation of April 26, recommended the formation of volunteer companies for the protection of the lives and property of the people of Delaware against danger from any source. His idea was that they should not be subject to the President, but were at liberty to tender him their services "for the defense of the capital, and to support the constitution and laws." In the same line of policy, Governor Hicks, of Maryland, issued a call for troops, May 14, stating that the four regiments would be detailed to serve within the limits of Maryland, or for the protection of Washington.

#### PARTY ADJUSTMENTS.

The condition of affairs was unprecedented. No such state of political interests had been anticipated, certainly not provided for, by the constitution. The interpretation of our organic law had always varied according to the school of politics or immediate interests with which statesmen and jurists had been identified. This administration was to be sustained by a republican majority; and for the first time in

the history of the country, we were in a war, with a loose constructionist party in power. The facts indicated many and startling changes.

The constitutional union party dissolved soon after the election of Lincoln. Some of its members entered the democratic party, others the republican; but a large portion of them became confederates. The Breckinridge democrats of the south entered the confederacy; those of the north joined the Douglas wing. Some from each division of the party became republicans.

The democratic party had usually been in accord with the south upon national issues, but had never gone with them to the extent of admitting the right of secession. Individuals like C. L. Vallandigham, of Ohio, had done much, however, to encourage a feeling of security at the south, and possibly of a hope that northern democrats would assist them. But if such ideas were entertained they were soon dispelled by the logic of events. "War democrats" became a term to designate a large element of that party who were determined to support the republican administration in putting down the rebellion. While a great many democrats, feeling that all minor issues were swallowed up in the one great question of how to save the country, at once made common cause with the republicans. And in this way the latter party, already dominant, controlled all national legislation.

Among democrats of a national reputation, Senator Douglas was pre-eminent. He said, at Chicago, on the 1st of May, "There are only two sides to this question. Every man must be for the United States or against it. There can be no neutrals in this war; only patriots or traitors." He declared it to be the "duty of every American citizen to rally around the flag of his country."

The fusion of democrats with the republicans led to the style and title of the "Union party;" and this was, for a

time, very popular. The strict construction theories of the democratic party, which had been detrimental in former times, were abandoned. The tide set in favor of changes and interpretations new to a war *regime*; and the peace democrats, as a curb, were but the necessary conservative element to steady the work of human progress. The constitution came through the war unimpaired. Had it not been for the constant opposition to a liberal construction of its terms, the necessity of consistency might have dropped out of sight.

#### UNION PARTY IN POWER.

Congress met July 4, 1861, in compliance with the call of **Thirty-seventh Congress,** } the President the preceding April.  
**Extra Session.** } The republicans were in a majority in both houses. The House of Representatives organized by electing Galusha A. Grow, of Pennsylvania, speaker, and Emerson Etheridge, a supporter of Bell for President, but an avowed unionist, for clerk. On the next day the President delivered his message. He claimed to have yielded all that could have been done without relinquishing the government. He said "the states have their *status* in the Union, and they have no other legal *status*; if they break from this, they can only do so against law and by revolution." The policy of the border states, he said, would soon give the disunionists a disunion of their own. He expressed the profoundest sorrow that necessity compelled him to use the war power to defend the government. He asked Congress for "*at least* four hundred thousand men and four hundred million dollars."

The message was a compliment to the President's fast growing reputation. The friends of the Union were entirely satisfied with it.

In the Senate ten of its members, having vacated their seats, were formally expelled July the 11th. The House at once began the work of the session by a resolution to con-

sider no measures except those relating to the military, naval, and financial proceedings of the government.

Notice was given on the first day of the session, by Mr. Wilson, chairman of the committee on military affairs, in the Senate, that at the earliest convenience he would introduce four bills and a joint resolution. They were accordingly introduced.

The first was a bill authorizing the President to call out five hundred thousand volunteers, and appropriating five hundred million dollars to the support of the war. It was reported back from the committee on military affairs, July 6, and passed the Senate; Powell, of Kentucky, and Polk and Johnson, of Missouri, voting against it.

The bill reported from the house military committee by Mr. Blair, came up in the committee of the whole, on the 13th, and brought out a repetition of all the arguments elsewhere referred to, and gave full notice to the country of the complexion of legislation to be expected. An amendment by McClernand, of Illinois, reducing the appropriation to one hundred million dollars was rejected, and an amendment by Vallandigham, of Ohio, proposing a cessation of hostilities, and the appointment of peace commissioners, was also lost. But with a proviso, introduced by Burnett, of Kentucky, that the army should not be used in holding, after subjugation, as a conquered foe, any "sovereign state now or lately one of the United States," the bill passed the House.

The Senate bill, with the House bill as an amendment, was agreed to by the House on the 16th; but the Senate not concurring, a conference of committees resulted in the House receding, and the Senate bill became a law by the President's signature, July 22.

Thus the Senate prevailed in this first legislation of this memorable Congress; but the divergence of temper in the two branches became more apparent, when, on the 13th, Mr.

Wilson's bill, adding eleven new regiments to the regular army, and increasing the strength of the old regiments, passed the Senate. Mr. Blair reported it, substantially, to the House, but creating a volunteer instead of a regular force out of the recruits. He stated that the House military committee were unanimously opposed to an increase of the regular army. On the 22d the Senate refused to concur with the House, on the ground that the change destroyed the purpose of the bill. A committee of concurrence from each branch took the matter under advisement, the House receded, and the bill became a law.

On the 10th Mr. Wilson's third bill was reported to the Senate, providing for the better organization of the army. Before its passage, Mr. Powell, from Kentucky, moved to amend by adding that "no part of the army and navy of the United States should be used to subject sovereign states, or to abolish or to interfere with slavery." Mr. Lane, of Kansas, offered to amend by adding the words, "unless a military necessity shall exist for the purpose of maintaining the constitution;" which, together with all other amendments, failed, and the bill passed. The House amended it, the Senate refused to concur, and the bill became a law August 3.

Thus provisions on a gigantic scale were made for the prosecution of the war. But the resolution of Mr. Wilson, brought forward in the Senate as early as July 10, "to give the same legality and validity to the President's proclamations and orders as if they had been issued under the previous and express authority of Congress," was not quite so successful.

This resolution referred to and recited the official acts of the President "since the adjournment of Congress on the 4th day of March last." Among them were the proclamation, April 15, calling for 75,000 men; the proclamation, April 19, blockading the southern ports; and one on the 27th, block-



ading the ports of Virginia and North Carolina ; the order for suspension of the writ of *habeas corpus* in Maryland, addressed to the commanding general of the U. S. Army, April 27 ; the calling out of additional forces to the volunteers, and increasing the regular army and navy, May 3 ; and the suspension of the writ of *habeas corpus* in Florida, May 10.

Considerable debate followed, but the bill **was not pressed** to a final issue ; the chief objection lying in the suspension of the writ of *habeas corpus* at Baltimore, Md., and in Florida. But the occasion brought out many strong declarations of endorsement, notably that of Andrew Johnson, of Tennessee. And he further distinguished himself by introducing a bill, which became a law, making provision for arming loyal men in disloyal states. Two millions of dollars were appropriated for that purpose, but Secretary Stanton assumed the responsibility of a loan from that fund to Gov. Morton, of Indiana, to aid him in equipping troops at a time when the willing dispersion of his legislature had left him without money.

August the 5th a bill was introduced into the Senate, from the committee on military affairs, increasing the pay of non-commissioned officers and privates from eleven to fifteen dollars per month. Mr. Wilson offered an amendment whereby all the acts of the President with reference to the army and navy were made legal and valid. Mr. Stevens, in the House, succeeded with an amendment by which the pay of the soldiers was reduced from fifteen to thirteen dollars per month. Mr. Vallandigham moved to strike out that portion of the bill referring to the orders and proclamations of the President, but was signally defeated. This bill, as amended by the House was laid on the table in the Senate.

A new bill fixing the wages of the soldiers at thirteen dollars per month was at once introduced in the Senate by Mr. Wilson, and amended, on his own motion, so as to legalize and make valid all the acts of the President regarding the army and

navy, and in calling out the volunteers. This became a law, and practically accomplished all that Mr. Wilson's original resolution intended. It marked, as opposition members noted, a great change in the feelings of many members of Congress. All who were determined to preserve the Union and assert the supremacy of the national government over every foot of its soil saw that, without the vigorous and timely steps of the administration in using the war power, there would have been nothing left to legislate about except the fragments of a once glorious country.

On the same date the tariff act, increasing the duties on imports, was passed. Bills authorizing a loan of two hundred and fifty millions of dollars, and many minor matters connected with the regulation of the army and navy, were but the details in carrying out the great purpose declared in the war measures already recited. The House, by a vote of 121 to 5, pledged itself to vote any amount of men and money necessary to put down the rebellion; and by a vote of 121 to 2, it adopted the following:

*"Resolved, by the House of Representatives of the United States, That the present deplorable war has been forced upon the country by the disunionists of the southern states, now in revolt against the constitutional government, and in arms around the capital."*

It was also resolved, July 22: "That in this national emergency, Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of interfering with or overthrowing the rights or established institutions of those states, but to defend and maintain the *supremacy* of the constitution, and to preserve the Union with all its dignity, equality and rights of the

several states unimpaired; and that as soon as these objects are accomplished the war ought to cease."

In these resolutions Congress but voiced the sentiments of the majority of the people, and were in full accord with the inaugural address of the President, and of the platform on which he was elected.

#### TWO ERRORS.

Two mistakes that were made in the commonly accepted reasoning were soon discovered: First, that slavery was not a source of weakness, but of strength, to the south. They fed the disunionists and built their breastworks. Second, that the claim, always made by the slave-holder, that the negroes were property, was the key to their emancipation, and not the death of their hopes of liberty. The first discovery was an inspiration to the south; the latter was a source of terror. It came home to their friends at the north as the answer to a thousand debates. Of the fact that they were in rebellion there was not a dispute; and of the forfeiture of property thereby, none could have a doubt. And when the Senate bill for the

#### "CONFISCATION OF PROPERTY

used for insurrectionary purposes" came to be considered, the far-seeing Mr. Breckinridge said he saw in it the "beginning of a series of measures that would eventually loosen all bonds." It was, indeed, the "beginning of the end." With a slight modification, the bill became a law. Congress adjourned August 6, 1861.

During the intervening months events justified the great preparations for war made at the extra session. The government had been embarrassed by the eagerness with which the people enlisted in the ranks of the army. The only question was how to provide for them.



## CONTRABAND OF WAR.

The question of fugitive slaves had troubled the federal government from the beginning of the war. General Benjamin F. Butler, who had given employment and protection to negroes at Fortress Monroe as early as July the 8th, announced that they were "contraband of war" and liable to confiscation by the laws of war. General John C. Fremont had issued his proclamation freeing the slaves of all citizens of Missouri who should take up arms against the government, but his action was annulled by President Lincoln. On the contrary, General W. T. Sherman, and many others, had refused protection to slaves, except as the rightful property of their masters. The disposition of the north, at first, was to suppress the rebellion without interfering with the institution of slavery, but as the war continued a sentiment rapidly grew in the free states favoring any action, regarding the slaves, that would weaken the rebellion.

Congress met December 2, 1861, in the midst of startling **Thirty-seventh Congress,** } and momentous events. In the **First Session.** } Senate there were thirty-one republicans, seven unionists, ten democrats, and two vacancies; in the House, one hundred and six republicans, twenty-eight unionists, forty-two democrats, and two vacancies.

## PRESIDENT'S MESSAGE.

In the President's message, he congratulated the country on the fact that notwithstanding the efforts of the enemies of the government to stir up strife abroad, we were on terms of amity with all nations. Alluding to the operations of the "act to confiscate property used for insurrectionary purposes," passed at the last session of Congress, he recommended "some plan of valuation," by which the government might introduce a system of compensated emancipation. He declared

but one idea as his policy, "To preserve the integrity of the Union." Referring to military operations, he said, "The cause of the Union is advancing steadily and certainly southward;" and declared that the insurrection continued to develop as a "war on the first principle of popular government—the rights of the people."

#### LEGISLATION.

At this session bills were passed by both Houses to punish treason, to free slaves employed by their masters against the government, to furnish aid to a Pacific railway and telegraph, and to donate public lands to the various states, for the benefit of agricultural colleges. A homestead bill, granting to actual settlers homes from the public domain, was brought up and passed. A bill declaring it to be unlawful for any officer in the military or naval service of the United States to deliver up any person of African descent to any person claiming him as a slave, after occupying a great deal of debate in both Houses, finally became a law on the 13th of March, 1862.

The homestead bill, together with the Pacific railroad and telegraph, was calculated to stimulate and develop the great west. The red tide of war did not stop the westward march of empire.

#### "COMPENSATED EMANCIPATION."

Agreeably to the President's suggestion, made a second time, and the subject of a special message, March 2, 1862, Mr. Conkling introduced into the House a resolution, drafted by Mr. Lincoln, and advocating compensated emancipation. Under the suspension of the rules, it passed by a vote of 97 to 36. It passed the Senate April 2, by 32 to 10, the republicans as a rule voting for and the democrats against it; and this was true even of those in the border states.

Noting the fact, and desirous to please those in his judg-

ment most interested, the President invited the senators and representatives of the border slave-holding states to the executive mansion, and read to them a carefully prepared argument on "gradual emancipation" as the means of "breaking the lever of the disunion power."

#### REPLY TO THE PRESIDENT.

In a well written response the border state members of Congress, to the number of twenty, after assuring him that they would never falter in their devotion to the Union while they had a constitution to defend and a government that protected them, stated that "the right to hold slaves is a right appertaining to all the states of the Union." They estimated the value of slaves in the six border states at nearly five hundred million of dollars, and thought the scheme impracticable; yet were willing to submit to it. This reply was dated July 14th, three days before the adjournment; and it is but due to say that the radical republican element of Congress was bitterly opposed to this scheme of the President as visionary and unstatesmanlike.

Consuls were appointed to the negro states of Hayti and Liberia; a stringent form of oath, commonly called the iron-clad oath, was prescribed to be taken as a test of official qualifications in the seceding and border states, and a tariff act increasing the duties on imports had passed as early in the session as December 24, 1861. Party feeling ran high, and nearly all legislation during this session was by a party vote—the republican party, now known distinctively as the war party, being in power. Congress adjourned July 17, 1862.

#### NOTED AND RISING MEN.

In the Senate Henry Wilson and Charles Sumner stood deservedly in the front rank. Fessenden, of Maine, was brilliant in debate. Andrew Johnson was the "rising man"

from the border states. A supporter of Breckinridge, a man of the people, vehement in address, with the advantages of locality, and the prestige of unionism, he was deservedly influential. In the House none surpassed Bingham, of Ohio, in aptness of debate, yet Thaddeus Stevens, the "Great Commoner," was the Ajax of the day. It is doubtful whether he had a peer in the House or out of it. Schuyler Colfax, of Indiana, was rising gracefully into national prominence. The debates of the thirty-seventh Congress were varied and stormy. Feeling was so intense that discussion was not left to champions, as in former times, but the whole Senate and House glowed like a furnace. Every man had a conviction, and every tongue a voice. Even Breckinridge stood in his place to plead, without fear or molestation, the right of secession.

#### EMANCIPATION A WAR NECESSITY.

Having failed in his effort to introduce "compensated emancipation," the President, during the summer of 1862, decided to try the virtue of a proclamation. It declared, September 22, 1862, "That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any state, or designated part of a state, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free."

This recognized the right of property still in slaves in all states and parts of states not in rebellion. But a great many "non-party" and Union men were not prepared for it; as was evinced by the decrease of the republican vote in the fall elections, and democratic gains in the northern states.

#### ADDRESS OF LOYAL GOVERNORS.

On equal date with the President's proclamation, he received an address from the governors of thirteen of the loyal

states, in which they "hail with heartfelt gratitude and encouraged hope" the emancipation of slaves in the states in rebellion.

Congress met December 1, 1862. The political complexion  
Thirty-seventh Congress, } of all legislation was changing by  
Second Session. } the force of circumstances. A  
looser construction of the constitution became a necessity,  
and the public mind was being rapidly educated to it, if it  
did not demand it.

Impelled by necessity to preserve the Union, a plan, proposed by Secretary Chase, suggesting the celebrated *national paper currency*, commonly called "greenbacks," was adopted.

#### CONSCRIPTION ACT.

The opposition to the "draft" or conscription act, which passed this session, was, like all the opposition to the administration policy, based on its supposed unconstitutionality. But it prevailed and became a law. The necessity for it lay largely in the fact that in many places the volunteer enlistments were full, while in other localities the quota had not been furnished. Its operation, therefore, was to equalize the burden of the war by compulsory legislation.

#### COLORS TROOPS.

In the conscription act no exception was made on account of color, except as to slaves in loyal states; and from this time forward all able-bodied male citizens of lawful age were subject to military duty.

#### HABEAS CORPUS.

It was maintained, especially by Mr. Stevens, of Pennsylvania, that the President had, under the constitution, and in the exercise of the "war power," a right to suspend the writ of *habeas corpus*; but to put it beyond all power of dispute,

a bill indemnifying the President from all the consequences of the suspension of the writ of *habeas corpus* was passed. It was now clear that "for the safety of the country, acts not contemplated in the constitution," the responsibility of which had been assumed by the executive, were justifiable. The suspension did much, in certain states, to increase the vote in opposition to the administration.

#### WEST VIRGINIA ADMITTED.

The legislature of Virginia, meeting at Wheeling, had passed an act consenting to the formation of the state of West Virginia, and her senators had been received into the Senate of the United States without their seats being contested. But the bill for the admission of the state, when brought forward in the House, met with strong opposition, on the ground of unconstitutionality; but as Congress had already established the precedent regarding the loyal people of a state as the state, it was quickly admitted. The legislature of Virginia, elected by her loyal population, being recognized, there could be no question of their right to assent to the formation of a new state out of part of their territory. The bill passed the House by a vote of 96 to 55, and the Senate without debate.

The capture of New Orleans by Commodore Farragut was followed by the enrollment of 60,000 citizens of Louisiana as loyal citizens of the United States. Mr. Lincoln thereupon appointed for the entire state a military governor, who ordered an election for congressmen under the old state constitution. At an election held December 3, 1862, Messrs. Hahn and Flanders were returned, neither receiving 3,000 votes. Their presentation of certificates opened up a new political question, and elicited a debate that attracted much attention. The democrats opposed their admission to Congress; but the vote stood "92 for to 44 against, almost a

strict party test." Thus began discussion on the question of reconstruction that puzzled the minds of statesmen for several succeeding years. Congress adjourned March 3, 1863.

#### EMANCIPATION PROCLAMATION.

The proclamation of the Chief Magistrate, issued September 22, 1862, made no impression upon the confederates, who compared the proclamation to the "Pope's edict against a comet." Following this, January the 1st, 1863, Mr. Lincoln, performing the great act of his life, issued his emancipation proclamation for all the slaves in the country. The measure was quite unanimously supported by the republicans, but more or less censured by the democrats. The proclamation liberated three millions of slaves, and from the date of its issue the power of the confederacy began to wane. The act touched a chord of sympathy among the lovers of freedom in the old world, and was regarded as a moral aid to the success of the Union arms.

#### DRAFT RIOT IN NEW YORK.

Resistance to the enforcement of the conscription act gave trouble to sections of almost every state. Enrolling officers were frequently killed during the summer of 1863; but in no place did resistance reach such proportions as in New York city, nor did the state authorities elsewhere have any difficulty with the government. Here again the question was the constitutional right of the government to enforce the draft in a sovereign state, aggravated by complaints of unfairness in the enrollment. During the months of July and August the rioters successfully resisted, until General Dix, aided by a force of forty-four regiments and batteries, appeared on the scene. These, together with the police force, were entirely sufficient. The draft proceeded peaceably.

Congress met December 7, 1863, with a large republican **Thirty-eighth Congress**, } majority in both branches. In the **First Session.** } House, Schuyler Colfax, of Indiana, was elected speaker. The internal revenue law for the collection of revenue from domestic manufactures was passed by both houses. An income tax bill, by which a tax of five per cent. was levied on incomes over six hundred dollars, became a law during this session.

#### THE NATIONAL BANK LAW.

In his report for December, 1861, Secretary Chase recommended the gradual issue of national bank notes, secured by United States bonds, similar to the system operating in New York, in preference to the issue of states notes. The advantages which he claimed for the system influenced the preparation of a bill in accordance with his views; but its consideration was deferred. In his report for 1862, the secretary earnestly advocated the passage of the national bank bill, and presented at length the arguments for and against the law. President Lincoln advocated the bill in his annual message of this and the succeeding year. The bill became a law in February, 1863. It encountered earnest opposition, and the secretary said that a majority of both the House and Senate finance committees were incredulous or hostile. In June, 1864, the bill was thoroughly revised, and re-passed, many voting in favor of it, who had opposed it the preceding year.

#### THE THIRTEENTH AMENDMENT.

The emancipation proclamation announced that all persons held as slaves should be free, and that the executive government of the United States would recognize and maintain the freedom of said persons. The first was but the work of a moment and of a single person, while the latter was the work



of years and of the nation. Competent and skillful legislation was seen to be necessary to insure freedom to those that had been liberated by emancipation. It was felt that enactments in their behalf should culminate in an amendment to the constitution. On the 14th of December, 1863, a bill providing for the submission to the states of an amendment to the constitution was presented to the House by Mr. Ashley, of Ohio. This measure, and others similar to it, were introduced and amended so as to read as follows:

"Article 13, Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

The consideration of the subject began March 28th, Senator Trumbull opening the discussion in favor of the amendment. Reverdy Johnson, an independent democratic senator from Maryland, among other things, said: "I think history will bear me out in the statement, that if the men by whom that constitution was framed, and the people by whom it was adopted, had anticipated the times in which we live, they would have provided by constitutional enactment that that evil and that sin should, in some comparatively unremote day, be removed. Without recurring to authority, the writings, public or private, of the men of that day, it is sufficient for my purpose to state what the facts will justify me in saying, that every man of them who largely participated in the deliberations of the convention by which the constitution was adopted, earnestly desired, not only upon grounds of political economy, not only upon reasons material in their character, but upon grounds of morality and religion, that sooner or later the institution should terminate."

The bill was adopted by the Senate April 8th, but failing

to receive a two-thirds majority in the House its consideration was deferred till the next session.

The first session of the thirty-eighth Congress abolished the fugitive slave law of 1850, and amended and strengthened the draft and homestead laws.

#### RECONSTRUCTION.

In December, 1861, Mr. Harlan, of Iowa, introduced into the Senate a bill for the establishment of provisional governments for the territory of seven seceded states. It was referred to the committee on territories, but never reported. Resolutions looking to the establishment of provisional governments for the territory in rebellion were introduced in the House during the early months of 1862, but no action was taken upon them.

December 8, 1863, in connection with his annual message, President Lincoln sent in a proclamation providing that when the people of any rebellious state should lay down their arms, swear allegiance to the general government, and organize a free state constitution, their state should be entitled to its former position in the Union. No states were admitted to representation in Congress in accordance with this proclamation.

May, 1864, Congress passed the first reconstruction act. The bill authorized the President to appoint in each rebellious state a provisional governor, with the pay of a brigadier, who should be charged with the civil administration until a state government therein should be recognized. After the suppression of military resistance to the United States and the return of the people of the state to their obedience to the constitution, the provisional governor should direct the United States marshal to enroll all the white male citizens of the United States, resident in the state, in their respective counties; and whenever a majority of them take the

oath of allegiance, the loyal people of the state shall be authorized to choose delegates to a convention to act upon the establishment of a new state government. The bill gave specific directions for carrying out this congressional plan of reconstruction ; but it was not signed by the President, because it reached him too late for consideration before adjournment. He, however, gave the act publication by a proclamation, in which he said : "That, while I am unprepared by a formal approval of this bill to be inflexibly committed to any single plan of restoration ; and, while I am also unprepared to declare that the free state constitutions and governments, already adopted and installed in Arkansas and Louisiana, shall be set aside and held for naught, thereby repelling and discouraging the loyal citizens who have set up the same, as to further effort, or to declare a constitutional competency in Congress to abolish slavery in states ; but am at the same time sincerely hoping and expecting that a constitutional amendment, abolishing slavery throughout the nation, may be adopted ; nevertheless I am fully satisfied with the system for restoration contained in the bill as one very proper plan for the loyal people of any state choosing to adopt it, and that I am, and at all times shall be, prepared to give the executive aid and assistance to any such people, so soon as the military resistance to the United States shall have been suppressed in any such state, and the people thereof shall have sufficiently returned to their obedience to the constitution and the laws of the United States, in which case military governors will be appointed, with directions to proceed according to the bill."

The President's refusal to sign the bill, together with the refusal of certain senators to admit representatives to Congress from Arkansas, raised an issue among the republicans which partially divided the party in both houses, some favoring forcible reconstruction through the aid of military gov-

ernors and new state governments, and others opposing it. The views of those who opposed the policy of the President are stated in a paper signed by Benjamin Wade and Henry Winter Davis, published in the *New York Tribune*, August 5, 1864, from the following extracts of which the difference between the President and certain republicans can be ascertained:

The President, by preventing this bill from becoming a law, holds the electoral votes of the rebel states at the dictation of his personal ambition.

If those votes turn the balance in his favor, is it to be supposed that his competitor, defeated by such means, will acquiesce?

If the rebel majority assert their supremacy in those states, and send votes which elect an enemy of the government, will we not repel his claims?

And is not civil war for the presidency inaugurated by the votes of the rebel states?

Seriously impressed with these dangers, Congress, "*the proper constitutional authority*," formally declared that there are no state governments in the rebel states, and provided for their erection at a proper time; and both the Senate and the House of Representatives rejected the senators and representatives chosen under the authority of what the President calls the free constitution and government of Arkansas.

The President's proclamation "*holds for naught*" this judgment, and discards the authority of the Supreme Court, and strides headlong toward the anarchy his proclamation of the 8th of December inaugurated.

If electors for President be allowed to be chosen in either of those states, a sinister light will be cast on the motives which induced the President to "hold for naught" the will of Congress rather than his government in Louisiana and Arkansas.

That judgment of Congress which the President defies was the exercise of an authority exclusively vested in Congress by the constitution to determine what is the established government in a state, and in its own nature and by the highest

judicial authority binding on all other departments of the government. \* \* \* \* \*

A more studied outrage on the legislative authority of the people has never been perpetrated.

Congress passed a bill; the President refused to approve it, and then by proclamation puts as much of it in force as he sees fit, and proposes to execute those parts by officers unknown to the laws of the United States and not subject to the confirmation of the Senate!

The bill directed the appointment of provisional governors by and with the advice and consent of the Senate.

The President, after defeating the law, proposed to appoint without law, and without the advice and consent of the Senate, *military* governors for the rebel states!

He had already exercised this dictatorial usurpation in Louisiana, and he defeated the bill to prevent its limitation. \* \* \* \* \*

The President has greatly presumed on the forbearance which the supporters of his administration have so long practiced, in view of the arduous conflict in which we are engaged, and the reckless ferocity of our political opponents.

But he must understand that our support is of a cause, and not of a man; that the authority of Congress is paramount and must be respected; that the whole body of the Union men of Congress will not submit to be impeached by him of rash and unconstitutional legislation; and if he wishes our support, he must confine himself to his executive duties—to obey and execute, not make the laws—to suppress by arms armed rebellion, and leave political reorganization to Congress.

If the supporters of the government fail to insist on this, they become responsible for the usurpations which they fail to rebuke, and are justly liable to the indignation of the people, whose rights and security, committed to their keeping, they sacrifice.

Let them consider the remedy for these usurpations, and, having found it, fearlessly execute it.

The presidential election and the closing events of the war caused the question of reconstruction, as presented in

1864, to pass temporarily from public consideration. It was renewed the succeeding administration, and was an exciting political issue for several years. Congress adjourned July 2, 1864.

#### CONVENTION OF RADICAL MEN.

At Cleveland, Ohio, May 31, 1864, the radical men of the nation met in convention for the purpose of protesting against the hesitating policy of the administration and what was represented as the selfish and personal ends of the President. The convention nominated General Fremont and General Cochrane for President and Vice-President, and adopted a platform consisting of thirteen resolutions which enunciated the general republican principles, endorsed the "Monroe doctrine," and the one-term policy, asserted that reconstruction belonged to Congress, and not to the President, and demanded the confiscation of the lands of confederates, and their distribution among soldiers and settlers. General Fremont's letter of acceptance spoke of President Lincoln's "incapacity and selfishness," his disregard of constitutional rights, his violation of personal liberty and liberty of the press, his feebleness and want of principle, and how his unfaithfulness had created a schism in the republican party. This imprudent language was not deemed creditable to the general, and it lost him many friends. An effort was made this year to bring General Grant before the people as a candidate for the presidency, but after some efforts in favor of the movement, the project fell through.

#### REPUBLICAN NATIONAL CONVENTION.

The republican, or the Union, national convention assembled at Baltimore, on the 7th of June. It adopted a platform containing eleven resolutions, which were unanimously adopted. They declared in favor of the integrity of the Union, and of the paramount authority of the constitution ;

of the President and his administration; of the prosecution of the war without compromise; of an amendment to the constitution prohibiting slavery; of the emancipation proclamation; of the protection of ex-slaves, and their employment as soldiers; of the payment of the national debt, and of the "Monroe doctrine."

On the first ballot for a presidential candidate Mr. Lincoln received the votes of all the states, except Missouri, which voted for General Grant. Thereupon, on motion of a member from that state, the nomination was made unanimous. Andrew Johnson, of Tennessee, on account of his devotion to the Union, his condemnation of treason, and his representation of the southern states and the war democrats, was nominated for the second place on the ticket.

#### THE DEMOCRATIC NATIONAL CONVENTION.

The democrats met in national convention at Chicago, August 29, 1864. The convention passed under the control of the peace democracy, called by the Union party "copperheads," from a well known northern snake. The resolutions of the platform charged the government with usurpations; the suppression of the freedom of speech; unauthorized interference with elections; pronounced the war a failure; and declared that the public welfare demanded immediate efforts for a cessation of hostilities. General McClellan, of New Jersey, and George H. Pendleton, of Ohio, were nominated for the positions of President and Vice-President. The convention then adjourned, having provided that it might be reconvened if necessary. The declaration that the war was a failure, as enunciated by the democratic platform, drove the doubtful voters to the support of the republican candidates and assured their success.

General Fremont, noting the position taken by the democrats in national convention, withdrew from the canvass in

favor of Lincoln and Johnson. In giving his reasons for withdrawing, he said: "The union of the republican party has become a paramount necessity. The policy of the democratic party signifies either separation or re-establishment with slavery. The republican candidate, on the contrary, is pledged to the re-establishment of the Union without slavery. Between these issues, I think, no man of the liberal party can remain in doubt."

General Fremont's withdrawal left but two tickets in the field.

#### PRESIDENTIAL ELECTION OF 1864.

The canvass was prosecuted with great vigor and earnestness, and resulted in the choice of republican electors by all the states not in rebellion, except New Jersey, Kentucky, and Delaware. The members elected to the thirty-ninth Congress were also overwhelmingly republican.

Congress met December 6, 1864. The thirteenth amendment, which had failed in the House }  
Thirty-eighth Congress, } the preceding session, was passed in  
Second Session. }  
February, 1865, by the requisite two-thirds vote. It received every republican and sixteen democratic votes. That the bill might surely pass, eight democrats purposely refrained from voting.

The first freedmen's bureau bill was passed this session. It organized a bureau for the protection of ex-slaves and refugees from the south. Both Houses passed a joint resolution declaring "that the rebellious states were in such a condition that no valid election had been held in them for electors, and that no electoral votes from them should be counted." The electoral votes, having been counted, were found to be 212 for Lincoln and Johnson, and 21 for McClellan and Pendleton. Lincoln and Johnson were therefore declared elected.



Congress adjourned March 3, 1865, and March 4 Lincoln and Johnson were sworn into office.

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#### EXECUTIVE OFFICERS OF LINCOLN'S ADMINISTRATION.

- Abraham Lincoln.....President .....1861-1865  
 Hannibal Hamlin .....Vice-President .....1861-1865

#### CABINET.

- William H. Seward .....Secretary of State.....1861-1865  
 Salmon P. Chase.....Secretary of Treasury.....1861-1864  
 William P. Fessenden....." " " .....1864-1865  
 Simon Cameron.....Secretary of War .....1861-1862

Edwin M. Stanton.....	Secretary of War.....	1862-1865
Gideon Welles.....	Secretary of Navy.....	1861-1865
Caleb B. Smith.....	Secretary of Interior.....	1861-1863
John P. Upshur.....	“ “ “ .....	1863-1865
Montgomery Blair.....	Postmaster-General .....	1861-1864
William Denison .....	“ “ .....	1864-1865
Edward Bates .....	Attorney-General .....	1861-1863
James J. Speed .....	“ “ .....	1863-1865

## JUDICIAL OFFICERS.

Roger B. Taney.....	Chief Justice .....	1836-1864
Salmon P. Chase.....	“ “ .....	1864-1873

## LEGISLATIVE OFFICERS.

Solomon Foot .....	President of the Senate <i>pro tempore</i> .....	1861-1865
Galusha A. Grow .....	Speaker of the House.....	1861-1863
Schuyler Colfax.....	“ “ .....	1863-1865

## 1864.—RADICAL PLATFORM,

*Cleveland, May 31.*

1. That the federal Union shall be preserved.
2. That the constitution and laws of the United States must be observed and obeyed.
3. That the rebellion must be suppressed by force of arms, and without compromise.
4. That the rights of free speech, free press, and the *habeas corpus* be held inviolate, save in districts where martial law has been proclaimed.
5. That the rebellion has destroyed slavery; and the federal constitution should be so amended as to prohibit its re-establishment, and to secure to all men absolute equality before the law.
6. That integrity and economy are demanded, at all times, in the administration of the government, and that in time of war the want of them is criminal.
7. That the right of asylum, except for crime and subject to law, is a recognized principle of American liberty; and that any violation of it can not be overlooked, and must not go unrebuked.
8. That the national policy known as the "Monroe doctrine" has become a recognized principle; and that the establishment of an anti-republican government on this continent by any foreign power can not be tolerated.

9. That the gratitude and support of the nation are due to the faithful soldiers and earnest leaders of the Union army and navy, for their heroic achievements and deathless valor in defense of our imperiled country and of civil liberty.

10. That the one-term policy for the presidency, adopted by the people, is strengthened by the force of the existing crisis, and should be maintained by constitutional amendment.

11. That the constitution should be so amended that the President and Vice-President shall be elected by a direct vote of the people.

12. That the question of the reconstruction of the rebellious states belongs to the people, through their representatives in Congress, and not to the Executive.

13. That the confiscation of the lands of the rebels, and their distribution among the soldiers and actual settlers, is a measure of justice.

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#### 1864.—REPUBLICAN PLATFORM,

*Baltimore, June 7.*

*Resolved,* That it is the highest duty of every American citizen to maintain, against all their enemies, the integrity of the Union and the paramount authority of the constitution and laws of the United States; and that, laying aside all differences of political opinions, we pledge ourselves, as Union men, animated by a common sentiment and aiming at a common object, to do everything in our power to aid the government in quelling, by force of arms, the rebellion now raging against its authority, and in bringing to the punishment due to their crimes the rebels and traitors arrayed against it.

*Resolved,* That we approve the determination of the government of the United States not to compromise with rebels, nor to offer them any terms of peace, except such as may be based upon an "unconditional surrender" of their hostility and a return to their just allegiance to the constitution and laws of the United States; and that we call upon the government to maintain this position, and to prosecute the war with the utmost possible vigor to the complete suppression of the rebellion, in full reliance upon the self-sacrificing patriotism, the heroic valor, and the undying devotion of the American people to the country and its free institutions.

*Resolved,* That, as slavery was the cause, and now constitutes the strength, of this rebellion, and as it must be always and everywhere hostile to the principles of republican government, justice and the national safety demand its utter and complete extirpation from the soil of the republic; and that we uphold and maintain the acts and proclamations by which the

government, in its own defense, has aimed a death-blow at this gigantic evil. We are in favor, furthermore, of such an amendment to the constitution, to be made by the people in conformity with its provisions, as shall terminate and forever prohibit the existence of slavery within the limits or the jurisdiction of the United States.

*Resolved*, That the thanks of the American people are due to the soldiers and sailors of the army and navy, who have periled their lives in defense of their country and in vindication of the honor of its flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabling and honorable wounds in the service of the country; and that the memories of those who have fallen in its defense shall be held in grateful and everlasting remembrance.

*Resolved*, That we approve and applaud the practical wisdom, the unselfish patriotism, and the unswerving fidelity to the constitution and the principles of American liberty with which Abraham Lincoln has discharged, under circumstances of unparalleled difficulty, the great duties and responsibilities of the presidential office; that we approve and indorse, as demanded by the emergency and essential to the preservation of the nation, and as within the provisions of the constitution, the measures and acts which he has adopted to defend the nation against its open and secret foes; that we approve, especially, the proclamation of emancipation, and the employment, as Union soldiers, of men heretofore held in slavery; and that we have full confidence in his determination to carry these, and all other constitutional measures essential to the salvation of the country, into full and complete effect.

*Resolved*, That we deem it essential to the general welfare that harmony should prevail in the national councils, and we regard as worthy of public confidence and official trust those only who cordially indorse the principles proclaimed in these resolutions, and which should characterize the administration of the government.

*Resolved*, That the government owes to all men employed in its armies, without regard to distinction of color, the full protection of the laws of war; and that any violation of these laws, or of the usages of civilized nations in the time of war, by the rebels now in arms, should be made the subject of prompt and full redress.

*Resolved*, That foreign immigration, which in the past has added so much to the wealth, development of resources, and increase of power to this nation—the asylum of the oppressed of all nations—should be fostered and encouraged by a liberal and just policy.

*Resolved*, That we are in favor of the speedy construction of the railroad to the Pacific coast.

*Resolved*, That the national faith, pledged for the redemption of the public debt, must be kept inviolate; and that, for this purpose, we recommend economy and rigid responsibility in the public expenditures and a vigorous and just system of taxation; and that it is the duty of every loyal state to sustain the credit and promote the use of the national currency.

*Resolved*, That we approve the position taken by the government, that the people of the United States can never regard with indifference the attempt of any European power to overthrow by force, or to supplant by fraud, the institutions of any republican government on the western continent, and that they will view with extreme jealousy, as menacing to the peace and independence of this, our country, the efforts of any such power to obtain new footholds for monarchical governments, sustained by a foreign military force, in near proximity to the United States.

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#### 1864.—DEMOCRATIC PLATFORM,

*Chicago, August 29.*

*Resolved*, That in the future, as in the past, we will here with unswerving fidelity to the Union under the constitution, as the only solid foundation of our strength, security, and happiness as a people, and as a frame-work of government equally conducive to the welfare and prosperity of all the states, both northern and southern.

*Resolved*, That this convention does explicitly declare, as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, during which, under the pretense of a military necessity of a war power higher than the constitution, the constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of all the states, or other peaceable means, to the end that, at the earliest practicable moment, peace may be restored on the basis of the federal union of all the states.

*Resolved*, That the direct interference of the military authority of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware, was a shameful violation of the constitution; and the repetition of such acts in the approaching election will be held as revolutionary, and resisted with all the means and power under our control.

*Resolved*, That the aim and object of the democratic party is to preserve the federal Union and the rights of the states unimpaired; and that they hereby declare that they consider the administrative usurpation of extra-

ordinary and dangerous powers not granted by the constitution, the subversion of the civil by the military law in states not in insurrection, the arbitrary military arrest, imprisonment, trial, and sentence of American citizens in states where civil law exists in full force, the suppression of freedom of speech and of the press, the denial of the right of asylum, the open and avowed disregard of state rights, the employment of unusual test-oaths, and the interference with and denial of the right of the people to bear arms in their defense, as calculated to prevent a restoration of the Union and the perpetuation of a government deriving its just powers from the consent of the governed.

*Resolved*, That the shameful disregard of the administration to its duty in respect to our fellow-citizens who now are, and long have been, prisoners of war, in a suffering condition, deserves the severest reprobation, on the score alike of public policy and common humanity.

*Resolved*, That the sympathy of the democratic party is heartily and earnestly extended to the soldiers of our army and the sailors of our navy, who are and have been in the field and on sea under the flag of their country; and, in the event of our attaining power, they will receive all the care and protection, regard and kindness, that the brave soldiers of the republic have so nobly earned.

#### EMANCIPATION PROCLAMATION BY ABRAHAM LINCOLN,

*January 1, 1863.*

WHEREAS, On the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing among other things the following, to wit: "That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any state, or designated part of a state, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to oppress such persons or any of them, in any efforts they may make for their actual freedom; that the Executive will, on the first day of January aforesaid, by proclamation, designate the states, and parts of states, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any state, or the people thereof, shall on that day be in good faith represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such states shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that

such state, and the people thereof, are not then in rebellion against the United States:”

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as commander-in-chief of the army and navy of the United States in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war-measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above mentioned, order and designate as the states, and parts of states, wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit: Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre-Bonne, Lafourche, Ste. Marie, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Anna, and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are, for the present, left precisely as if this proclamation were not issued.~ And by virtue of the power, and for the purpose aforesaid, I do order and declare, that all persons held as slaves within said designated states, and parts of states, are and henceforward shall be free; and that the executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons. And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them, that in all cases, when allowed, they labor faithfully for reasonable wages. And I further declare and make known, that such persons, of suitable condition, will be received into the armed service of the United States, to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service. And upon this act, sincerely believed to be an act of justice, warranted by the constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

In testimony whereof, I have hereunto set my name, and caused the seal of the United States to be affixed. Done at the city of Washington, this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President: WILLIAM H. SEWARD, *Secretary of State*.

## CHAPTER XIX.

### LINCOLN'S AND JOHNSON'S ADMINISTRATION.

1865—1869.

#### LINCOLN'S SECOND INAUGURATION.

President Lincoln, in his second inaugural address, delivered on the 4th of March, 1865, spoke the following words:

“With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans, to do all which may achieve a just and lasting peace among ourselves, and with all nations.”

#### ASSASSINATION OF LINCOLN.

The gentleness and greatness of President Lincoln were beginning to win general appreciation when he fell by the hand of an assassin. April 14, 1865, the Washington papers announced that Mr. Lincoln and General Grant would attend Ford's theatre on the evening of that day. The General was called away from the city and could not be present; but Mr. Lincoln, with reluctance, resolved to attend, that public expectation might not be disappointed. While he was listening to the play, James Wilkes Booth entered the box where the President was seated and shot him in the head with a pistol. The assassin then shook off and wounded Major Rathbone who had seized him, and jumped from the stage shouting “SIC SEMPER TYRANNIS, the south is avenged.” He then rushed from the theatre, mounted a horse near the building and rushed into southern Maryland to find sympa-



thizing friends. The President continued to breathe until the next morning, when he died surrounded by the members of his cabinet and others. At the same time an unsuccessful attempt was made to assassinate Secretary Seward, who was at his residence, lying severely injured by a fall from his carriage.

The assassination of Mr. Lincoln produced a profound impression throughout the civilized world. The martyr was carried to his last resting place attended by pageants unequaled at the funeral of any other national ruler of ancient or modern times.

#### JOHNSON'S ACCESSION.

On the morning of the 15th of April, a few hours after the death of Mr. Lincoln, Vice-President Andrew Johnson took the oath of office, as President of the United States. Many citizens were filled with forebodings concerning the future of the republic, for the conduct of Mr. Johnson, at his inauguration, on the 4th of the preceding March, had not been regarded as wise or prudent; but his promises were such as caused the country at first to confide in him. He had expressed himself so strongly against disunionists that it was generally believed his administration would be severe on the confederate states. To a delegation from New Hampshire, soon after his inauguration, he said that treason is a crime; that it must not be regarded as a mere difference of political opinion; that it must not be excused as an unsuccessful rebellion, to be overlooked and be forgiven; but it is a crime, before which all others sink into insignificance. He stated that his "past course must be the guaranty of his future conduct." The excitement was intense, and all looked with painful interest for coming events.

#### RECONSTRUCTION.

The business of re-organizing the states which had been in

rebellion is commonly called reconstruction, but the term "reorganization" is more applicable, for no seceded state had been destroyed, but each one during the war was regarded by the federal authorities as simply in a condition of "suspended animation." The powers of the government were now employed for restoring to active life the states in this condition.

No provisions had been made in the constitution for the re-admission of a state that had claimed the right to secede, and had withdrawn from the Union. If the seceding states had been admitted to their former position, the negro race would have been controlled by their former masters. The mass of the northern people regarded the security of freedom to the negroes "superior to all theoretical arguments on the relations of the states to the federal government," and believed that the rebellious states should be held as territories until they could be re-admitted so as to guarantee the safety of the freedmen.

Grave questions arose on the subject; What constitutes a state? Are the seceded states within or without the Union? Can a state take itself out of the Union? Shall they be remanded to a territorial condition, or still be treated as states? If reconstruction be attempted, what shall be the condition of return? Whence shall the proffer originate? How many and who shall constitute the primordial elements of the new government? To these, and questions like these, different answers were given, as concerning them widely divergent opinions were entertained. Reconstruction was an unexplored sea—an untrodden ground. It had been attempted in Congress, in 1861 and 1862, but little attention was given it, either by the Senate or House.

#### JOHNSON'S POLICY OF RECONSTRUCTION.

Mr. Johnson was a strict constructionist by nature, and did

not comprehend how a state could be punished for treason. His policy was that individuals should be punished, but the states should be restored at once to the Union with all the powers they possessed before secession. He endeavored to carry out this policy by successive proclamations. April 29, he proclaimed commercial intercourse to be restored between the north and the south, "excepting a few districts still without the possession of the national forces, barring trade in all articles contraband of war." By proclamation, May 22, restrictions were removed upon foreign commerce with the lately rebellious states. Seven days later the President issued a proclamation of qualified amnesty. Restrictions upon commercial intercourse with Tennessee were removed by executive order June 13, and ten days thereafter the blockade was raised, except as to all ports west of the Mississippi river. The Executive suspended the operation of martial law in Kentucky on the 12th of October, and in December restored the writ of *habeas corpus* to all the states and territories, with few exceptions. In the meantime he had appointed resident civilians as provisional governors over North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Texas, and imitated the plan of reconstruction set forth by Mr. Lincoln in his proclamation of December 8, 1863. Mr. Johnson directed the states under their provisional governors to hold conventions with the view of organizing state governments, and securing the election of representatives to Congress. The states were required to repeal the ordinances of secession, accept the abolition of slavery, repudiate the southern war debts, and ratify, by a vote of the people, the several constitutional amendments.

The first of the provisional governors was appointed by proclamation, on the 29th of May, in less than two months after his accession to power. He pushed forward his work of reconstruction by messages and dispatches with such haste

and activity that many became alarmed and began to doubt the sincerity of his declarations, made soon after his inauguration. The ex-slaves were excluded from participation in reconstruction, and a large number were pardoned, of those who had taken an active part in the rebellion, and would exercise a controlling influence in the states when reconstructed. The tendency of his conduct led the people of the country to conclude that he was more friendly to those who had aided the rebellion than a consistent support of those who had elevated him to power would allow. Though state republican conventions, during the summer of 1865, had generally indorsed the actions of the President, it soon became apparent that he was willing to take issue, upon certain important questions, with the party that had elected him. An unfriendly disposition was manifested in August, about four months after his accession. On the 15th of the month, he recommended to the provisional governor of Mississippi the extension of the elective franchise to all persons of color in that state who could read the national constitution or possessed property valued at two hundred and fifty dollars, and continued: "Do this, and, as a consequence, the radicals, who are wild upon negro franchise, will be completely foiled in their attempt to keep the southern states from renewing their relations to the Union."

Before Congress met, in December, 1865, the provisional governors had been diligent in carrying out the policy of the President. Five states had formed new constitutions, and elected state officers and representatives to Congress. Some of these had participated in the rebellion. The republicans were not satisfied with what the President had done, and looked to Congress for some modification of his action.

Congressional action on reconstruction did not affect the seceding states with rapidity, and the state governments, as

established under Lincoln and Johnson, continued in operation for a considerable time.

#### THE BLACK CODES.

When Mr. Johnson's reconstruction policy caused those who had engaged in the rebellion to dispel fears of punishment, and had admitted them to the rights of citizenship and power, they attempted, by skillful politics, to thwart certain features of federal legislation. Laws were enacted in the eleven seceding states that were detrimental to the interests of the freedmen. These received in the north the appellation of the "black codes." Mississippi enacted a law denying the ex-slave "the right to acquire and dispose of public property." In Louisiana it was made a criminal offense to enter upon a plantation without the permission of the owner or agent. In several states it was made a criminal offense, "punishable with fine and imprisonment, for a freedman to leave his employer before the expiration of a term of service prescribed in a written contract." In one state it was made a criminal "offense for a negro to intrude himself into any religious or other public assembly of white persons, into any railroad car or other public vehicle set apart for the exclusive accommodation of white people, upon conviction of which, he should be sentenced to stand in the pillory for one hour, or be whipped not exceeding thirty-nine stripes, or both, at the discretion of the jury."

Such were some of the enactments known as the "black codes," which were more or less severe, according to the views of the legislatures. Congressional reconstruction required that the "codes" be abandoned.

#### THE RECONSTRUCTION COMMITTEE.

Congress met December 4, 1865, with a republican major-  
**Thirty-ninth Congress,** } ity in both Houses. There were  
**First Session.** } 40 republicans, and 11 democrats in

the Senate; and 145 republicans, and 40 democrats in the House. The republican majority was sufficient to pass any bill over the veto of the President. On the first day of the session, the House, by a vote of 133 against 36, agreed to a joint resolution to appoint a joint committee, to be composed of nine representatives and six senators, to "inquire into the condition of the states which formed the so-called confederate states of America, and report whether they, or any of them, are entitled to be represented in either House of Congress, with leave to report at any time, by bill or otherwise; and until such report shall have been fully made and finally acted upon by Congress, no member shall be received in either House from any of the so-called confederate states of America; and all papers relating to the representatives of the said states shall be referred to the said committee." The Senate adopted the resolution on the 14th of December, and appointed on the committee Messrs. Fessenden, Grimes, Harris, Howland, Johnson, and Williams; the House had already appointed Messrs. Stevens, Washburn, Morrill, Grider, Bingham, Conkling, Boutwell, Blow, and Rogers. These members constituted what was known as the "reconstruction committee," and their report was looked for by Congress and the entire people with the utmost anxiety. They did not report till the following summer of 1866. In the meantime the position of Congress on reconstruction was not fully defined. Enough was known, however, to show that Mr. Johnson's policy was not in accord with that body. The states which he and Mr. Lincoln had reconstructed were not allowed representation in Congress, and aside from appointing the reconstruction committee, no action was taken upon the subject till after the break with the President.

#### JOHNSON'S BREAK WITH THE REPUBLICANS.

This disregard of what had been done at reconstruction

offended the President, and he soon manifested an attitude of hostility toward Congress. He vetoed the freedmen's bureau bill February 19, and on the 22d of the month, while addressing the populace in front of the presidential mansion, he denounced the republican party and certain leading members of Congress. He thus made known, in a positive and public manner, his hostility to the party that had given him their confidence. Thenceforth he made uncompromising war upon the legislative branch of government, and caused such cabinet members to resign as could not agree with him. He became openly affiliated with the democrats, who uniformly opposed such bills of Congress as met with the President's veto.

#### THE SECOND FREEDMEN'S BUREAU BILL.

The day before Lincoln's second inaugural, a bureau was established by the general government for the protection and relief of freedmen in the north. This measure having proved somewhat inadequate, Congress passed an amendment thereto in February, 1866, and submitted it for executive approval. It provided for the "reservation of three millions of acres of public land in the south, from the operation of the homestead and pre-emption laws, for occupation by former slaves, at a rental to be approved by designated authorities." Agents and officials of the bureau were to constitute tribunals for the punishment of those who should violate the rights of its designated beneficiaries.

The President, "chafing under the non-admission to their representation in Congress of the southern states, which, under his policy, had been restored," returned the bill unapproved, February 19, on various grounds, which he stated at length in his veto message. This declared that the law would provide for an unlimited distribution of lands to the freedmen, that it would violate constitutional guarantees, that it would impose taxation without representation, and that it

would tend to keep the minds of the negroes uneasy and restless.

The bill, February 21, was put upon its passage a second time, but failing to obtain a two-thirds majority, it could not become a law. Congress retaliated upon the President by adopting the following resolution :

*"Resolved, That in order to close agitation upon a question which seems likely to disturb the action of the government, as well as to quiet the uncertainty which is agitating the minds of the people of the eleven states which have been declared to be in insurrection, no senator or representative shall be admitted into either branch of Congress from any of said states until congress shall have declared such states entitled to such representation."*

The war of reconstruction was now fully inaugurated, and the long and bitter struggle was protracted throughout the administration.

#### THE CIVIL RIGHTS BILL.

The measure popularly known as the civil rights bill was the second cause of variance between Congress and the Executive. The bill was designed to confer the right of citizenship upon the freedmen, and to provide means for protecting them in the right. It was submitted to the President for his approval, but was vetoed March 27, 1866. The reasons given were, that the bill was unconstitutional as to the bestowal of citizenship and its privileges, and the means provided for the enforcement thereof. On the 9th of April the bill received a two-thirds vote of Congress, and was duly declared a law.

#### THE FOURTEENTH AMENDMENT.

The thirteenth amendment abolished chattel slavery, and rendered oppression in that form impossible, but the law did not carry with it the right of citizenship and the right to



vote. To accomplish these, additional legislation was necessary. Discussion on the subject began in Congress April, 1866, and in June resulted in the passage of the fourteenth amendment, the full text of which is as follows :

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, including Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

SEC. 3. No person shall be a senator or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such a disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection and rebellion, shall not be questioned. But neither the United States, nor any state, shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slaves; but all such debts, obligations, and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

After the amendment "had passed the fiery ordeal of congressional debate," it was subjected to the hostile criticism of the President. On the 22d of June he sent to Congress his veto message; but it was of no avail, for Congress passed the bill by a two-thirds majority, and submitted the amendment to the states for ratification.

A homestead bill was passed by this Congress, which applied to public lands in the south, the features of previous homestead bills.

#### THIRD FREEDMEN'S BUREAU BILL.

The first freedmen's bureau bill, which received the approval of Lincoln, aimed simply to give the freedmen food and clothing, and to locate them upon the abandoned and confiscated lands of the states that had seceded. It was defective in that it provided no tribunal for bringing violators of the law to justice. The second freedmen's bureau bill, on which the President clogged legislation, March 27, was designed to heal the defect of the first bill. In July, 1866, a third freedmen's bureau bill was passed by Congress with the purpose of amending the original bill as to judicial measures for the enforcement of the law and the distribution among the blacks of the confiscated and abandoned lands of the south. It was milder than the one thwarted by the Executive in February, but notwithstanding this the President, on the 16th of July, vetoed the bill, and Congress, on the same day, passed it over the disapproval of that official, thereby making it a law of the land. During this session the army and the revenue tax were reduced, and the grade of the general of the army was revived. Congress adjourned July 28, 1866.

#### REPUBLICAN ADDRESS.

The angry conflict between the President and the republican majority caused the republican national committee to

issue an address to the party defining the difference between Congress and President Johnson. It claimed that the republican plan of reconstruction was wise and honest, and that the plan of the President would enable the whites lately in rebellion to seize the reins of power and reduce the blacks to slavery under some plausible name. Three members of the committee were expelled because they had sided with the President.

State elections, held in autumn of 1866, indicated the approval of the congressional measures of reconstruction, and thus strengthened the efforts of the majority in perfecting their measures for the restoration of the Union.

Congress met December 3, 1866, and renewed, at once, the **Thirty-ninth Congress,** } conflict with the Executive. A bill  
**Second Session:** } was passed, December 14, giving the right to vote in the District of Columbia to persons without any distinction on account of color or race. It was vetoed by the President, on the 7th of January, 1867, but it became a law the same day, having been re-enacted by the proper constitutional majority. On the same day, Mr. Ashley, in the House, charged the President with high crimes and misdemeanors, and offered a resolution to impeach him. A committee appointed to take testimony made a report to the House; but the resolution was finally lost for want of sufficient grounds of action.

#### LIMITING THE PRESIDENT'S POWER.

The majority of Congress, unwilling to trust the President, and fearing that he designed some attack upon the legislative branch of the government, aimed persistently, during this session, to limit the powers of the Executive. A bill was passed in January, which took from the President the power to proclaim general amnesty. The right of Congress to do this was denied by Mr. Johnson, who proceeded to issue addi-

tional proclamations of amnesty, claiming that the constitution gave him the right. "Provision was made for the assembling of the fortieth Congress, and all succeeding Congresses, immediately after the adjournment of the preceding Congress." The clerk of the House was authorized, before the meeting of that body, to make out a roll of members regularly elected, "who alone should take part in the organization of the House." This was done to prevent the organization of any pseudo-Congress by southern claimants for admission in connection with northern democrats.

A "rider" attached to the army appropriation bill, took from the President the command of the army, by providing that executive orders to it should be given only through the general of the army, who should not be removed from office, save by previous act of the Senate. The same enactment disbanded all the militia of the states which had recently seceded. The President stated to Congress that he approved the bill as to the appropriation; he protested, however, against the "rider," claiming that it violated guarantees of the constitution, in depriving eleven states of their militia, and the Executive of the command of the army.

A bill for the admission of Nebraska became a law in February, having been passed over the President's veto. It stipulated that Nebraska should never deny the right of voting to any person on account of his race or color. Congress, by appropriate legislation, authorized federal courts to issue writs of *habeas corpus* when any person was deprived of liberty.

#### THE RECONSTRUCTION BILL.

On the 6th of February, 1867, Mr. Stephens reported to the House a bill to provide efficient governments for the states lately in insurrection. The states of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas were divided into

five military districts, each under the government of a military officer, who should govern them by civil tribunals whenever he should decide these more appropriate than military commissions. Provisions, in detail, were given for the establishment of government according to the wish of Congress. The bill provided that when the states mentioned should have ratified the proposed fourteenth amendment, and established free constitutions, satisfactory to Congress, and not conflicting with the constitution of the United States, they should be entitled to resume their original status with the federal government as before the war, and their representatives and senators should be admitted to their seats in the national legislature.

Nearly two years had now elapsed since the surrender of Lee before Congress adopted any plan of reconstruction. It is probable that had the ten states mentioned, ratified the proposed fourteenth amendment, which had been submitted the preceding June, the reconstruction bill of March 2, 1867, would never have been devised. This seems apparent, for Tennessee had ratified this amendment on the 26th of July, 1866, and had been admitted to her representation in Congress as a reconstructed state. The bill was incomplete, but this defect was removed by subsequent legislation. The plan of reconstruction thus set forth by Congress was an entire reversal of the President's policy, ignoring the governments formed thereby, and restoring them in such a way as to secure the results of the war as understood by the republicans. It became the signal of an earnest debate, showing great diversity on the republican side, and meeting in the strongest terms condemnation by the democrats. Mr. McDougall pronounced it "black as night and hideous as black;" while another democrat regarded it as the death-knell to the worst enemy of his country, and that was the republican party. It passed both houses, and was vetoed by the Executive on the

2d of March, 1867. His message was an elaborate paper, in which he inveighed against the unconstitutionality and partisanship of the measure, and the hardship of keeping ten states without representation in Congress. He warned the national legislature "to pause in the course of legislation which, looking solely to the attainment of political ends, fails to consider the rights it transgresses, the law which it violates or the institutions which it imperils." Notwithstanding this warning, Congress immediately passed the bill over the veto, and thus one of the first measures of what was termed "congressional reconstruction" became the law of the land.

#### TENURE-OF-OFFICE ACT.

The same day on which Mr. Johnson vetoed the "reconstruction bill" Congress passed the "tenure-of-office act" over the President's objections. It had been held from the time of Washington that the consent of the Senate was necessary in making an appointment, but the power of removal was entirely with the President. According to this interpretation it was thought that after the adjournment of Congress the Executive would engage in a wholesale removal of public officials. To prevent this, the "tenure-of-office bill," was passed. It provided that civil officers should remain in their positions until their successors should be qualified; that the cabinet should hold over the President's term of office, and should be removable only with the Senate's approval; that the President might suspend any civil officer while Congress was not in session, but he could not remove such official; that in case of removal, if the Senate, at its next session, did not concur in the suspension, the officer should resume his official duties; and that any vacancy by death or resignation might be filled by the President while Congress was not in session. Any exercise of office contrary to this act was declared to be a high misdemeanor, punishable by fine and imprisonment, or both.

This provision was apparently with a view to future impeachment. Nebraska became a state of the Union on the first of March. Congress adjourned March 3, 1867.

Congress met in extra session March 4, 1867, with a republican majority in both branches. Schuyler Colfax was re-elected speaker of the House. This session, following immediately the preceding session, was held mainly for the purpose of restraining the President in carrying out his southern policy. The main feature of this session was the passage of a reconstruction act, supplemental to the one passed on the 2d of March, which was confessedly incomplete. The new act contained nine sections, carrying out more minutely the provisions of the first. It was passed by both houses of Congress, March 19, vetoed March 23, and on the same day repassed by a vote of 114 to 25 in the House, and in the Senate by a vote of 40 to 7. All those who voted nay were democrats; all those who voted yea were republicans, except Mr. Johnson, a democratic senator from Maryland, who favored the bill. The bill provided that the commanding general of each military district should order a registration of all the male citizens in his district who were qualified to vote, according to the provisions of the act, and who should take the oath of fealty prescribed; that he should order an election of delegates by those thus registered, to a convention for framing a new constitution, with all the necessary ordinances for putting the constitution and government into operation; that for making the registration, holding the election, counting the votes, and making returns he should appoint the proper officers; that he should convene the delegates thus chosen, and submit the new constitution to be accepted or rejected by the registered voters; and that he should transmit the constitution, if ratified, to the President for Congress; and if Congress should decide that the provisions of the act were fully complied

with, any such state should be admitted into the Union in the persons of the senators and representatives therefrom. After passing the bill, the two houses took a recess till the 3d of July. Their presiding officers were authorized to adjourn them till the meeting of the next regular session, if a quorum should be wanting on the first mentioned day. Congress adjourned March 30, 1867.

Congress met July 3, 1867. Each house had a quorum. **Fortieth Congress,** } This was caused by the construction  
**Second Extra Session.** } which Attorney-General Stanbery had put upon the new reconstruction acts. This meeting was at an unusual time, and was well understood to be an undisguised expression of distrust of the President, and of a determination to check, if possible, any acts of the Executive which the legislative branch would condemn. With this object in view, several bills were at once introduced. On the 8th of July, Mr. Stevens reported a bill supplemental to the acts of March 2 and 23, explaining their intent and meaning, and providing that no district commander should be relieved without the consent of the Senate. The time of registration was also extended. It passed both houses of Congress, July 13, and was vetoed by the President, July 19; but on the same day both houses repassed it over the veto. It was favored by 30 republican senators, and opposed by 6 democratic. In the House the yeas were 100, all republican, and the nays 22, all democratic. Congress adjourned July 20, 1867.

#### ATTEMPTED REMOVAL OF SECRETARY STANTON.

On the 5th of August, 1867, Mr. Johnson, having a dislike for Edwin M. Stanton, Secretary of War, notified him that "public considerations of a high character" compelled the Executive to ask the secretary to resign. Mr. Stanton replied: "I have the honor to say that public considerations



of a high character, which alone have induced me to continue at the head of this department, constrain me not to resign the office of secretary of war before the next meeting of Congress." Seven days after this he was suspended by Mr. Johnson under the provisions of the "tenure-of-office bill," and General Grant was appointed secretary of war *ad interim*. When the General accepted the position, Mr. Stanton wrote to the President, "I have no alternative but to submit to superior force."

Congress met November 21, 1867, but nothing of especial **Fortieth Congress,** } political importance occurred during **Third Extra Session.** } the session, owing to the short time which elapsed before the opening of the regular session. Congress adjourned December 2, 1867, with the opening of the first regular session.

Congress met December 2, 1867. The impeachment of **Fortieth Congress,** } President Johnson was the leading topic **First Session.** } of interest at this session. On the 14th of January, 1868, the Senate refused to concur in the removal of Mr. Stanton, and the latter again resumed his office, which General Grant had promptly abandoned. The President now determined to force an issue with Congress by disobeying the "tenure-of-office bill." On the 21st of February he issued an order to Mr. Stanton, which reads as follows:

"By virtue of the power and authority vested in me as President by the constitution and laws of the United States, you are hereby removed from office as secretary for the department of war, and your functions as such will terminate upon the receipt of this communication. You will transfer to Brevet Major-General Lorenzo Thomas, adjutant-general of the army, who has this day been authorized and empowered to act as secretary of war *ad interim*, all records, books, papers, and other public property now in your custody and charge."

The order to General Thomas reads :

"The Hon. Edwin M. Stanton, having been this day removed from office as secretary for the department of war, you are hereby authorized and empowered to act as secretary of war *ad interim*, and will immediately enter upon the discharge of the duties pertaining to that office. Mr. Stanton has been instructed to transfer to you all the records, books, and other public property now in his custody and charge."

These orders having been officially communicated to the Senate, that body, after an earnest debate, passed the following resolution :

"*Resolved by the Senate of the United States*, That under the constitution and laws of the United States, the President has no power to remove the secretary of war and designate any other officer to perform the duties of that office."

The President, in a message to the Senate, argued that he had the right of removing Mr. Stanton and appointing another to fill his place, not only under the constitution, but also under existing laws. The point of his argument is, that by a special proviso in tenure-of-office bill the various secretaries of departments "shall hold their offices respectively for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice of the Senate." The President affirmed that Mr. Stanton was appointed not by him, but by his predecessor, Mr. Lincoln, and held office only by the sufferance, not the appointment, of the present Executive; and that therefore his tenure was, by the express reading of the law, excepted from the general provision, that every person duly appointed to office, "by and with the advice and consent of the Senate," should be "entitled to hold office until a successor should have been in like manner appointed and duly qualified, except as herein otherwise provided." The essential point of the President's argument,

therefore, was that, as Mr. Stanton was not appointed by him, he had, under the tenure-of-office bill, the right at any time to remove him; the same right which his own successor would have, no matter whether the incumbent had, by sufferance, not by appointment of the existing Executive, held the office for weeks or even years. "If," says the President, "my successor would have the power to remove Mr. Stanton, after permitting him to remain a period of two weeks, because he was not appointed by him, I, who have tolerated Mr. Stanton for more than two years, certainly have the same right to remove him, upon the same ground, namely, that he was not appointed by me, but by my predecessor."

In the meantime General Thomas presented himself at the war department and demanded to be placed in the position to which he had been assigned by the President. Mr. Stanton refused to surrender his post, and ordered General Thomas to proceed to the apartment which belonged to him as adjutant-general. This order was not obeyed, and so the two claimants to the secretaryship of war held their ground. A sort of legal by-play then ensued. Mr. Stanton entered a formal complaint before Judge Carter, chief justice of the Supreme Court of the District of Columbia, charging that General Thomas had illegally exercised and attempted to exercise the duties of secretary of war; and had threatened to "forcibly remove the complainant from the buildings and apartments of the secretary of war in the war department, and forcibly take possession and control thereof under his pretended appointment by the President of the United States as secretary of war *ad interim*;" and praying that he might be arrested and held to answer this charge. General Thomas was accordingly arrested, and held to bail in the sum of \$15,000 to appear before the court on the 24th. Appearing on that day, he was discharged from custody and bail; where-

upon he entered an action against Mr. Stanton for false imprisonment, laying his damages at \$150,000.

#### IMPEACHMENT TRIAL.

On the 22d of February the House committee on reconstruction, through its chairman, Mr. Stevens, presented a brief report, merely stating the fact of the attempted removal by the President of Mr. Stanton, and closing as follows:

"Upon the evidence collected by the committee, which is hereafter presented, and in virtue of the powers with which they have been invested by the House, they are of the opinion that Andrew Johnson, President of the United States, should be impeached of high crimes and misdemeanors. They therefore recommend to the House the adoption of the following resolution:

*"Resolved,* That Andrew Johnson, President of the United States, be impeached of high crimes and misdemeanors."

Nine articles of impeachment were prepared by a committee of seven, consisting of Boutwell, Stevens, Bingham, Wilson, Logan, Julian, and Ward. The first article charges the President of violating the "tenure-of-office act" in the removal of Secretary Stanton, and the second article, in the appointment of Lorenzo Thomas as secretary of war *ad interim*. The third article is nearly the same as the second, but the fourth article charges him with "conspiring with one Lorenzo Thomas, and other parties, to the House of Representatives unknown," to prevent, by intimidations and threats, Mr. Stanton, the legally appointed secretary of war, from holding that office. Article five charges that the President hindered the execution of the "tenure-of-office act," and article six, that he conspired with General Thomas and others to take forcible possession of the war department. Article seven repeats the charge in other terms, and article eight again charges him with conspiring to take possession of the prop-

erty in the war department. The ninth article charges him with an attempt to induce General Emory to violate the law and to obey orders issued directly from the President. These articles were adopted, and managers on the part of the House to conduct the impeachment before the Senate were chosen, after some discussion. The managers consisted of Stevens, Butler, Bingham, Boutwell, Wilson, Williams, and Logan.

[Most of the democratic representatives entered a formal protest against the whole course of proceedings involved in the impeachment of the President. This protest was signed by forty-five democratic members of the House, who claimed that they represented, directly or in principle, more than one-half of the people in the United States.]

On the 3d of March, the board of managers presented two additional articles of impeachment, which the House adopted. The first one is, in substance, as follows:

"The President, unmindful of the high duties of his office and of the harmony and courtesies which ought to be maintained between the executive and legislative branches of the government of the United States, designing to set aside the rightful authority and powers of Congress, did attempt to bring into disgrace the Congress of the United States and the several branches thereof, to impair and destroy the regard and respect of all the good people of the United States for the Congress and legislative power thereof, and to excite the odium and resentment of all the good people of the United States against Congress and the laws by it enacted; and in pursuance of his said design openly and publicly, and before divers assemblages convened in divers parts thereof to meet and receive said Andrew Johnson as the chief magistrate of the United States, did on the 18th day of August, in the year of our Lord 1866, and on divers other days and times, as well before as afterward, make and deliver with a loud voice certain intemperate, inflammatory, and scandalous harangues,

and did therein utter loud threats and bitter menaces as well against Congress as the laws of the United States duly enacted thereby."

To this article are appended copious extracts from speeches of Mr. Johnson. The second article is substantially as follows:

"The President did, on the 18th day of August, 1866, at the city of Washington, by public speech, declare and affirm in substance that the Thirty-ninth Congress of the United States was not a Congress of the United States, authorized by the constitution to exercise legislative power under the same, but, on the contrary, was a Congress of only a part of the states, thereby denying and intending to deny that the legislation of said Congress was valid or obligatory upon him, except in so far as he saw fit to approve the same, and did devise and contrive means by which he might prevent Edwin M. Stanton from forthwith resuming the functions of the office of secretary for the department of war; and, also, by further unlawfully devising and contriving means to prevent the execution of an act entitled 'An act making appropriations for the support of the army for the fiscal year ending June 30, 1868, and other purposes,' approved March 2, 1867; and also to prevent the execution of an act entitled 'An act to provide for the more efficient government of the rebel states,' passed March 2, 1867, did commit and was guilty of a high misdemeanor in office."

On the 4th of March the Senate informed the House that they were ready to receive the managers of the impeachment. The next day the Senate was formally organized as a court, presided over by Chief Justice Chase. On the 13th of the month the President appeared by his counsel, Hon. Henry Stanbery, Hon. William M. Evarts, Hon. William S. Groesbeck, Hon. Benjamin R. Curtis, and Hon. Thomas A. R. Nelson. The prosecution began on the 30th of March, and

the whole day was occupied by the opening speech of Mr. Butler. The opening speech for the defense was made by Mr. Curtis, and occupied the whole of Thursday, April 9, and a part of the following day.

The trial lasted until May 16, when three of the main articles were voted on. The vote for conviction was 35, and for acquittal 19, five republican senators voted with fourteen democrats for acquittal. It thus became evident that two-thirds of the senators would not vote for conviction. Without waiting to vote on the remaining articles, the Senate abandoned the trial, and as a court adjourned *sine die*. Chief Justice Chase ordered a verdict of acquittal to be entered on the record, and Mr. Stanton resigned his office as secretary of war.

The impeachment trial did not soften the political differences between the President and the republicans, nor did the failure weaken the ranks of the party. Mr. Johnson pursued his policy till the end, except where checked by Congress, and retired to Tennessee, "apparently having gained the love of early political associates in his native state." Congress adjourned July 27, 1868.

#### REPUBLICAN NATIONAL CONVENTION.

The republican national convention met at Chicago, May 20, 1868, and nominated Ulysses S. Grant, of Illinois, and Schuyler Colfax, of Indiana. The platform adopted held that the southern states could be readmitted only on conditions satisfactory to Congress, since they, by seceding, abandoned and lost their position in the Union. The reconstruction measures of Congress were approved, and the protection of equal suffrage in the south was declared to be a business of the national legislature. The declaration of principles consisted of fourteen planks. Benjamin F. Wade and Robert E. Fenton were chief competitors of Mr. Colfax.

## THE DEMOCRATIC NATIONAL CONVENTION.

The democratic party held its national convention in Tammany Hall, New York city, on the 4th of July, and after repeated ballots, finally compromised on its presiding officer, Horatio Seymour, of New York, notwithstanding declarations on his part that such a selection would be against his will. Francis P. Blair, jr., of Missouri, was nominated for Vice-President.

## PRESIDENTIAL ELECTION OF 1868.

An active canvass followed these nominations, the republicans making much out of the brief expression, "let us have peace," which was uttered by Grant in his letter of acceptance. The expression was employed to tone down race and sectional differences, which were regarded as greatly injuring the peace of the country. Democratic electors were chosen by five southern states, and by New York, New Jersey and Oregon.

It was alleged that New York was carried by frauds in New York city. All the other states chose republican electors save Texas, Georgia, Virginia, and Mississippi, which had not yet complied with the congressional plan of reconstruction, and consequently were not re-admitted. The result of the election would seem to settle the rule that Congress has the right to fill a gap in the constitution and lay down rules for the re-admission of any state which formally casts off allegiance to the general government and is reduced to submission. It was for this right of Congress that the republicans contended, while the democrats, aided by the President, maintained that the right belonged to the Executive.



Congress met December 7, 1868, but the session was not Fortieth Congress, } distinguished for party contest, save that  
Second Session. } pertaining to

#### THE FIFTEENTH AMENDMENT.

On the 11th of January, 1869, Representative Boutwell reported a joint resolution proposing an amendment to the constitution, which proposed that a citizen's right to vote should not be abridged by reason of race, color, or previous condition of slavery. An animated discussion of the subject began on the 22d of the month, and called forth elaborate speeches thereon. Quite a number of amendments were offered by the republicans before that wording was reached, which met the approbation of the party. On the 25th of February the resolution had been so amended and pruned as to require no further modification, and read as follows:

1. "The right of citizens of the United States to vote shall not be abridged by the United States, or by any state, on account of race, color, or previous condition of servitude.

2. "The Congress shall have power to enforce this article by appropriate legislation."

In this form the resolution, as amended, was carried by the necessary two-thirds vote, and became the fifteenth amendment to the constitution. It was opposed by the democrats and a few republicans. The leading ground of opposition was, that the amendment did not accord with the constitution. On being ratified by three-fourths of the states the fifteenth amendment was declared to be in force March 30, 1870, and thus became a part of the fundamental law of the land.

The electoral votes were counted in February, 1869, and were found to be 214 for Grant and Colfax, and 80 for Seymour and Blair, provided the vote of Georgia were allowed, and 71 without it; but the vote of Georgia, not affecting the result, was not taken into consideration, and the question con-

cerning it was left undecided. The candidates receiving the greatest number of votes were declared elected. Congress adjourned March 3, 1869, and March 4, Grant and Colfax were sworn into office. Thus closed the bitter political struggles of Johnson's administration.

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EXECUTIVE OFFICERS OF LINCOLN'S AND JOHNSON'S  
ADMINISTRATION.

Abraham Lincoln.....	President .....	1865-1865
Andrew Johnson.....	“ .....	1865-1869
Andrew Johnson .....	Vice-President.....	1865-1865

## CABINET.

William H. Seward .....	Secretary of State.....	1865-1865
E. B. Washburn.....	“ .....	1865-1869
Hugh McCulloch.....	Secretary of Treasury.....	1865-1865
Edwin M. Stanton.....	Secretary of War.....	1865-1867
Ulysses S. Grant.....	“ .....	1867-1868
Lorenzo Thomas (not confirmed) “ .....	“ .....	1868-1868
J. M. Schofield... “ .....	“ .....	1868-1869
Sideon Welles.....	Secretary of Navy.....	1865-1869
James Harlan .....	Secretary of Interior.....	1865-1866
O. H. Browning.....	“ .....	1866-1869
William Denison.....	Postmaster-General.....	1865-1866
Alex. W. Randall .....	“ .....	1866-1869
James J. Speed .....	Attorney-General.....	1865-1866
Henry Stanbery.....	“ .....	1866-1868
William M. Evarts.....	“ .....	1868-1869

## JUDICIAL OFFICERS.

Salmon P. Chase.....	Chief Justice.....	1864-1873
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## LEGISLATIVE OFFICERS.

L. S. Foster.....	President of the Senate <i>pro tempore</i> ..	1865-1867
B. F. Wade.....	“ .....	1867-1869
Schuyler Colfax.....	Speaker of the House.....	1865-1869

## 1868.—REPUBLICAN PLATFORM,

Chicago, May 20.

1. We congratulate the country on the assured success of the reconstruction policy of Congress, as evidenced by the adoption, in the majority of the states lately in rebellion, of constitutions securing equal civil and political rights to all; and it is the duty of the government to sustain those institutions and to prevent the people of such states from being remitted to a state of anarchy.

2. The guarantee by Congress of equal suffrage to all loyal men at the south was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained; while the question of suffrage in all the loyal states properly belongs to the people of those states.

3. We denounce all forms of repudiation as a national crime; and the national honor requires the payment of the public indebtedness in the uttermost good faith to all creditors at home and abroad, not only according to the letter, but the spirit, of the laws under which it was contracted.

4. It is due to the labor of the nation that taxation should be equalized and reduced as rapidly as the national faith will permit.

5. The national debt, contracted as it has been for the preservation of the Union for all time to come, should be extended over a fair period for redemption; and it is the duty of Congress to reduce the rate of interest thereon whenever it can be honestly done.

6. That the best policy to diminish our burden of debt is to so improve our credit that capitalists will seek to loan us money at lower rates of interest than we now pay, and must continue to pay, so long as repudiation, partial or total, open or covert, is threatened or suspected.

7. The government of the United States should be administered with the strictest economy; and the corruptions which have been so shamefully nursed and fostered by Andrew Johnson call loudly for radical reform.

8. We profoundly deplore the tragic death of Abraham Lincoln, and regret the accession to the presidency of Andrew Johnson, who has acted treacherously to the people who elected him and the cause he was pledged to support; who has usurped high legislative and judicial functions; who has refused to execute the laws; who has used his high office to induce other officers to ignore and violate the laws; who has employed his executive powers to render insecure the property, the peace, liberty, and life of the citizen; who has abused the pardoning power; who has denounced the national legislature as unconstitutional; who has persistently and corruptly resisted, by every means in his power, every proper attempt at the reconstruction of the states lately in rebellion; who has perverted the public patronage into an engine of wholesale corruption; and who has been justly impeached for high crimes and misdemeanors, and properly pronounced guilty thereof by the vote of thirty-five senators.

9. The doctrine of Great Britain and other European powers, that because a man is once a subject he is always so, must be resisted at every hazard by the United States, as a relic of feudal times, not authorized by the laws of nations, and at war with our national honor and independence. Naturalized citizens are entitled to protection in all their rights of citizenship as though they were native-born; and no citizen of the United States, native or naturalized, must be liable to arrest and imprisonment by any

foreign power for acts done or words spoken in this country ; and, if so arrested and imprisoned, it is the duty of the government to interfere in his behalf.

10. Of all who were faithful in the trials of the late war, there were none entitled to more especial honor than the brave soldiers and seamen who endured the hardships of campaign and cruise, and imperiled their lives in the service of the country. The bounties and pensions provided by the laws for these brave defenders of the nation are obligations never to be forgotten; the widows and orphans of the gallant dead are the wards of the people—a sacred legacy bequeathed to the nation's protecting care.

11. Foreign immigration, which in the past has added so much to the wealth, development, and resources, and increase of power to this republic, the asylum of the oppressed of all nations, should be fostered and encouraged by a liberal and just policy.

12. This convention declares itself in sympathy with all oppressed people who are struggling for their rights.

13. That we highly commend the spirit of magnanimity and forbearance with which men who have served in the rebellion, but who now frankly and honestly co-operate with us in restoring the peace of the country and reconstructing the southern state governments upon the basis of impartial justice and equal rights, are received back into the communion of the loyal people; and we favor the removal of the disqualifications and restrictions imposed upon the late rebels, in the same measure as the spirit of disloyalty shall die out, and as may be consistent with the safety of the loyal people.

14. That we recognize the great principles laid down in the immortal declaration of independence, as the true foundation of democratic government; and we hail with gladness every effort toward making these principles a living reality on every inch of American soil.

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#### 1868.—DEMOCRATIC PLATFORM,

*New York, July 4.*

The democratic party, in national convention assembled, reposing its trust in the intelligence, patriotism, and discriminating justice of the people, standing upon the constitution as the foundation and limitation of the powers of the government and the guarantee of the liberties of the citizen, and recognizing the questions of slavery and secession as having been settled, for all time to come, by the war or the voluntary action of the southern states in constitutional conventions assembled, and never to be revived or reagitated, do, with the return of peace, demand—

1. Immediate restoration of all the states to their rights in the Union under the constitution, and of civil government to the American people.

2. Amnesty for all past political offenses, and the regulation of the elective franchise in the states by their citizens.

3. Payment of the public debt of the United States as rapidly as practicable—all moneys drawn from the people by taxation, except so much as is requisite for the necessities of the government, economically administered, being honestly applied to such payment; and where the obligations of the government do not expressly state upon their face, or the law under which they were issued does not provide that they shall be paid in coin, they ought, in right and in justice, to be paid in the lawful money of the United States.

4. Equal taxation of every species of property according to its real value, including government bonds and other public securities.

5. One currency for the government and the people, the laborer and the office-holder, the pensioner and the soldier, the producer and the bondholder.

6. Economy in the administration of the government; the reduction of the standing army and navy; the abolition of the freedmen's bureau, and all political instrumentalities designed to secure negro supremacy; simplification of the system and discontinuance of inquisitorial modes of assessing and collecting internal revenue; that the burden of taxation may be equalized and lessened, and the credit of the government and the currency made good; the repeal of all enactments for enrolling the state militia into national forces in time of peace; and a tariff for revenue upon foreign imports, and such equal taxation under the internal revenue laws as will afford incidental protection to domestic manufactures, and as will, without impairing the revenue, impose the least burden upon, and best promote and encourage, the great industrial interests of the country.

7. Reform of abuses in the administration; the expulsion of corrupt men from office; the abrogation of useless offices; the restoration of rightful authority to, and the independence of, the executive and judicial departments of the government; the subordination of the military to the civil power, to the end that the usurpations of Congress and the despotism of the sword may cease.

8. Equal rights and protection for naturalized and native-born citizens, at home and abroad; the assertion of American nationality which shall command the respect of foreign powers, and furnish an example and encouragement to people struggling for national integrity, constitutional liberty, and individual rights; and the maintenance of the rights of naturalized citizens against the absolute doctrine of immutable allegiance and the

claims of foreign powers to punish them for alleged crimes committed beyond their jurisdiction.

In demanding these measures and reforms, we arraign the radical party for its disregard of right and the unparalleled oppression and tyranny which have marked its career. After the most solemn and unanimous pledge of both houses of Congress to prosecute the war exclusively for the maintenance of the government and the preservation of the Union under the constitution, it has repeatedly violated that most sacred pledge under which alone was rallied that noble volunteer army which carried our flag to victory. Instead of restoring the Union, it has, so far as in its power, dissolved it, and subjected ten states, in time of profound peace, to military despotism and negro supremacy. It has nullified there the right of trial by jury; it has abolished the *habeas corpus*, that most sacred writ of liberty; it has overthrown the freedom of speech and press; it has substituted arbitrary seizures and arrests, and military trials and secret star-chamber inquisitions, for the constitutional tribunals; it has disregarded, in time of peace, the right of the people to be free from searches and seizures; it has entered the post and telegraph offices, and even the private rooms of individuals, and seized their private papers and letters, without any specific charge or notice of affidavit, as required by the organic law. It has converted the American capitol into a bastille; it has established a system of spies and official espionage to which no constitutional monarchy of Europe would now dare to resort. It has abolished the right of appeal, on important constitutional questions, to the supreme judicial tribunals, and threatens to curtail or destroy its original jurisdiction, which is irrevocably vested by the constitution; while the learned Chief Justice has been subjected to the most atrocious calumnies, merely because he would not prostitute his high office to the support of the false and partisan charges preferred against the President. Its corruption and extravagance have exceeded anything known in history; and, by its frauds and monopolies, it has nearly doubled the burden of the debt created by the war. It has stripped the President of his constitutional power of appointment, even of his own cabinet. Under its repeated assaults, the pillars of the government are rocking on their base; and should it succeed in November next, and inaugurate its President, we will meet, as a subjected and conquered people, amid the ruins of liberty and the scattered fragments of the constitution.

And we do declare and resolve that ever since the people of the United States threw off all subjection to the British crown, the privilege and trust of suffrage have belonged to the several states, and have been granted, regulated, and controlled exclusively by the political power of each state respectively; and that any attempt by Congress, on any pretext whatever,

to deprive any state of this right, or interfere with its exercise, is a flagrant usurpation of power which can find no warrant in the constitution, and, if sanctioned by the people, will subvert our form of government, and can end only in a single, centralized, and consolidated government, in which the separate existence of the states will be entirely absorbed, and an unequalled despotism be established in place of a federal union of co-equal states. And that we regard the construction acts (so called) of Congress as usurpations, and unconstitutional, revolutionary, and void.

That our soldiers and sailors, who carried the flag of our country to victory against the most gallant and determined foe, must ever be gratefully remembered, and all the guarantees given in their favor must be faithfully carried into execution.

That the public lands should be distributed as widely as possible among the people, and should be disposed of either under the pre-emption of homestead lands or sold in reasonable quantities, and to none but actual occupants, at the minimum price established by the government. When grants of public lands may be allowed, necessary for the encouragement of important public improvements, the proceeds of the sale of such lands, and not the lands themselves, should be so applied.

That the President of the United States, Andrew Johnson, in exercising the power of his high office in resisting the aggressions of Congress upon the constitutional rights of the states and the people, is entitled to the gratitude of the whole American people; and, on behalf of the democratic party, we tender him our thanks for his patriotic efforts in that regard.

Upon this platform, the democratic party appeal to every patriot, including all the conservative element and all who desire to support the constitution and restore the Union, forgetting all past differences of opinion, to unite with us in the present great struggle for the liberties of the people, and that to all such, to whatever party they may have heretofore belonged we extend the right hand of fellowship, and hail all such, co-operating with us, as friends and brethren.

*Resolved*, That this convention sympathizes cordially with the workingmen of the United States in their efforts to protect the rights and interests of the laboring classes of the country.

*Resolved*, That the thanks of the convention are tendered to Chief Justice Salmon P. Chase, for the justice, dignity, and impartiality with which he presided over the court of impeachment on the trial of President Andrew Johnson.



## CHAPTER XX.

## GRANT'S ADMINISTRATIONS.

1869—1877.

## GRANT'S INAUGURAL ADDRESS.

General Grant was inaugurated March 4, 1869, as the eighteenth President of the United States. He intimated in his address that it would be the policy of his administration to secure as far as possible, prosperity throughout the Union ; first, by strict integrity in fulfilling our national obligations ; second, by securing protection to the person and property of the citizens in the United States in every portion of our common country without reference to original nationality, color, politics, or religion, demanding of each obedience to the laws and respect for the rights of others ; and third, by uniting all the states into an indestructible union, with equal constitutional guarantees.

The selection of cabinet officers created the impression that the administration of the new President would be personal rather than political. If this was his intention his opinion was quickly changed after some political experience.

Congress met March 4, 1869, with a large republican majority in both branches. James G. Blaine, a leading parliamentarian, was speaker of the House.

On the admission of Mississippi and Texas a political struggle occurred in Congress. These states had not ratified the fourteenth amendment and were not reconstructed. On the 10th of April a bill was passed which authorized their people to vote on the constitution already prepared by the

state conventions, and to elect state officers and members of Congress. The act required that these states should ratify the fourteenth and fifteenth amendments before readmission to the Union. The republicans in passing the measure were opposed by the democrats. Congress adjourned April 23, 1869.

#### KU-KLUX KLAN.

At the close of the war thousands of northern men settled in the south. They were denounced as political adventurers by those who prided themselves in being "irreconcilable" and "unreconstructed" and who opposed the fourteenth and fifteenth amendments, and the freedmen's bureau acts. They regarded the northern settlers with great ill-will and styled them "carpet-baggers." The "irreconcilables" organized themselves into secret societies with a view to fright the ex-slaves from participating in the elections, and to warn the "carpet-baggers" to leave the country. The "Ku-Klux Klan" was known in some places as the "Pale Faces," and in others as the "Knights of White Camelia." The object of the organization broadened with the difficulties which it occasioned. General Forest testified that the order was prevalent in all parts of the confederacy; that it was so secret that its constitution was handed from member to member anonymously; that it was composed of southern citizens as distinguished from carpet-baggers; that it sent out armed men who patrolled communities, intimidating and whipping men and committing murder and other crimes, for which they were never caught or punished; and that the chiefs of the order could not name anyone who had documents that would throw more definite light upon the history of the "klan" than that which he had. General John B. Gordon gave a testimony which accorded with that of General Forest, and stated that negroes and republicans did not belong to the order. So great was the alarm caused by the "Ku-Klux" that

the governor of Tennessee, in 1868, called an extra session of the legislature to provide measures of protection against the order. A committee of the legislature reported that the terror was so great that the best citizens dare not express their opinions; that the officers of the law dared not to enforce its provisions; that no one dared give information as to the perpetrators of outrages because no man could tell but that he might be the next victim, and that for six months, saying nothing of other outrages, the murders alone had averaged not less than one in each twenty-four hours. So violent were the acts of the "Ku-Klux" that the popular vote as claimed by the republicans in the southern states was greatly influenced. A congressional committee reported that in North Carolina the vote had in two years been modified twenty-two thousand; in Texas nearly thirty-six thousand; in Georgia nearly fifty-two thousand; in Louisiana over seventy thousand, and similarly modified in other states. The democratic minority of the committee which made this report, denied this, and asserted that the change in the vote was occasioned by the disgust of the people with the "carpet-bag" governments. The congressional committee elicited the information that in fourteen counties of North Carolina there were eighteen murders and three hundred and fifteen whippings; in twenty-nine counties of Georgia there were seventy-two murders and one hundred and twenty-six whippings; in twenty-six counties of Alabama two hundred and fifteen murders and one hundred and sixteen other outrages; and in Louisiana in 1868 there were more than one thousand murders. The testimony was that the whippings were to convert the victims to a "white man's government," and that the murders were to get rid of those who were regarded an injury to the order.

DECISION OF THE SUPREME COURT ON THE RECONSTRUCTION  
ACTS OF CONGRESS.

In 1869 the Supreme Court of the United States in the case of *Texas vs. White*, sustained the constitutionality of the reconstruction acts; held that the ordinances of secession had been absolutely null; that the seceding states having no right to secede had never been out of the Union; that during and after the rebellion they had no governments competent to represent them in their relations with the general government; and that, therefore, the legislative department had the right to re-establish the relations of any confederate state to the Union. This decision strengthened the republicans in their position and aided the President in the work of reconstruction. The assaults of the democrats upon congressional reconstruction were modified, and in time reconstruction ceased to be the pivot around which the minor political issues of their party revolved.

Congress met December 6, 1869. The work of the session  
**Forty-first Congress,** } was devoted principally to reconstruc-  
**First Session.** } tion, four states being readmitted.

READMISSION OF STATES.

Virginia was readmitted January 25, 1870; Mississippi, February 23, 1870; Texas, March 30, 1870, and Georgia, July 15, 1870. Preceding this session, Tennessee was admitted July 24, 1866; Arkansas, June 22, 1868, and North Carolina, South Carolina, Louisiana, and Florida, in 1868. All of these states were required to ratify the fifteenth amendment.

ENFORCEMENT OF THE FIFTEENTH AMENDMENT.

Congress passed a bill, May 30, 1870, to enforce the fifteenth amendment. It authorized the President to use the army to prevent violations of the law and made penal any

interference by fraud or force with the right of full and free manhood suffrage. The bill was opposed by all the democrats, and supported by the republicans.

#### GUARDING THE BALLOT-BOX.

An act was passed to amend the naturalization laws which made the use of false naturalization papers a penal offense, and authorized the appointment of federal supervisors of elections in cities of over 20,000 inhabitants. To these officers it gave the power of arresting for any offense committed in their view, and allowed alien Africans the right of naturalization. The democrats antagonized the bill urging that it gave extraordinary power to federal supervision, while the republicans claimed that Seymour had carried New York by naturalization frauds in New York City, citing in support of their position the unprecedented vote polled. Horace Greeley said that in one of the city wards more votes had been cast for governor than there were in it, "men, women, children, cats and dogs." Congress adjourned July 15, 1870.

#### LEGALITY OF GREENBACKS.

Greenback notes, by an act of Congress, in 1862, were made a legal tender, and until 1869 they passed as such. The democrats protested against the act, claiming that the right to issue paper money belonged to the states, and not to Congress. The Supreme Court, at its December term, 1869, decided that the act of Congress was unconstitutional. The court, in its composition, happened to be democratic. To avoid the effects of its decision, the republicans secured an increase of two in the number of Supreme justices, one by filling a vacancy, and the other by creating an additional justiceship. After the political complexion of the court was changed, the constitutionality of the legal tender act was again brought up, and in March, 1879, the court, with Chief

Justice Chase presiding, reversed the decision made the preceding December. This was a partisan struggle before the court, in which the republicans were successful. Though their position was an abandonment of the Jacksonian theory of hard money, it is apparent that the greenbacks enabled the government to press the war with twice the vigor it could have exerted without them. A consistent course in this struggle was not maintained by either party. Democrats who had been out of the Union, and had advocated the issue of the same class of money by the confederate Congress, now sided with the northern democrats on the plea of unconstitutionality. The difference was only in the ability to redeem, and this ability depended upon success in arms—the very thing the issue was designed to promote. The last decision, despite its partisan surroundings and opposition, soon won popularity, and this popularity was subsequently taken as the groundwork of the greenback party.

Congress met December 5, 1870, with 61 republicans and **Forty-first Congress,** } 13 democrats in the Senate, and 172 **Second Session.** } republicans and 71 democrats in the House. Reconstruction having been completed, all the states were represented. In the President's annual message, he advocated the annexation of San Domingo to the United States, giving as reasons for its annexation, that as a naval station it would facilitate American operations in the gulf, and while belonging to a foreign power, in time of war it would prove a depot for dangerous warlike preparations. He had negotiated a treaty the preceding year, with the President of the republic of San Domingo; but it had been rejected in the Senate, meeting with earnest opposition from Charles Sumner. Congress authorized the President to send three commissioners to the island, and report upon the desires of the people in regard to annexation. Their report was favorable, but the project, being opposed by the greater

portion of the republican press and by Congress, was abandoned. The question had little political significance, and was probably never designed to have.

#### AMENDATORY ENFORCEMENT ACT.

The continued resistance to the operations of the fifteenth amendment, in the south, induced Congress to pass an additional law for its enforcement. This was an extension of the powers granted to federal supervisors and marshals by the first enforcement act. It gave the circuit courts of the United States exclusive jurisdiction of all cases under the provisions of the act and its supplement. These courts were authorized to punish state officers who should attempt to interfere with such cases in contempt of the court's jurisdiction. The measure was passed February 28, 1871, and was advocated by the republicans, and resisted by the democrats. Congress appointed a committee to investigate the condition of affairs in the southern states.

#### CIVIL SERVICE REFORM.

A bill authorizing the President to begin a reform in the civil service was passed March 3, 1871. He appointed a commission for the purpose of devising rules for the reformation of the civil service. The law authorizes the President to prescribe for admission into the civil service such regulations as will best promote the efficiency thereof, and ascertain the fitness of each applicant for the department of service which he wishes to enter. When first presented, the question was not political, and both parties thought that something good had been attained. But when the bill was before Congress the democrats resisted it with great earnestness. The republicans, however, under strict party discipline, passed the bill, which was promptly approved by the President, "who, by this time, was classed as the most radical of the

radicals." The law, by the opposition, was denounced as being but little less obnoxious than the sedition law of 1798. But little was done during the administration toward extending the regulations of the act.

#### THE ALABAMA CLAIMS.

The claims of the United States against Great Britain arising from the depredations of confederate privateers, and notably of the Alabama, were referred May 8, 1871, by the treaty of Washington, to arbitrators. These were appointed from Brazil, Italy, and Switzerland, at the invitation of Great Britain and the United States, and, on the 14th of September, 1872, they gave to the United States gross damages amounting to \$15,500,000. The meeting of the arbitrators was at Geneva, Switzerland.

Congress met March 4, 1871, with a republican majority  
**Forty-second Congress,** } in both branches, though the demo-  
**Extra Session.** } crats had made considerable gains.  
 With the object of enforcing more rigidly the observance of the fourteenth amendment, the republicans passed what the democrats called the

#### FORCE BILL.

The act allowed suits in the United States courts against persons who should deprive others of the rights of citizenship, and made the taking away of any one's rights as a citizen a penal offense. It also provided that neglect by any state government to suppress such conspiracies, or their refusal to ask aid from the President, should be regarded a denial by such commonwealth of the equal protection of the laws under the fourteenth amendment. It further declared such conspiracies rebellion against the government of the United States, and authorized the President, when he should deem proper, to suspend the writ of *habeas corpus* in any district,



and suppress by the army and navy any such insurrection. The democrats claimed that the bill was to revive a waning political power in the south and save the carpet-bag governments in that section. Not long afterwards it was opposed by prominent republicans, such as Butler, Curtis, and Julian. Congress adjourned April 20, 1871.

Congress met December 4, 1871, and was noted for the **Forty-second Congress, First Session.** } efforts made by the democrats to pass bills which would remove the political disabilities of former confederates. The republicans defeated all their efforts at this session by invariably amending the propositions by attaching Sumner's supplementary civil rights bill, which was designed to prevent discrimination against colored people by hotels, carriers, or licensed servants.

#### THE AMNESTY BILL.

As something of compromise the amnesty bill was passed May 22, 1872, after an understanding to exclude from its provisions all the prominent military and civic officials of the confederacy, amounting in all to about three hundred and fifty persons. The amnesty bill is as follows:

*"Be it enacted,* That all legal and political disabilities imposed by the third section of the fourteenth article of the amendments of the constitution of the United States are hereby removed from all persons whomsoever, except senators and representatives of the 36th and 37th Congress, officers in the judicial, military, and naval service of the United States, heads of departments, and foreign ministers of the United States."

Disabilities from these officials were subsequently removed by various acts, Jefferson Davis alone being excepted. There occurred this session a great debate on a resolution introduced into the Senate by Mr. Sumner, authorizing the investigation of the French sale of arms by our government. Senator

Schurz spoke very ably in support of the resolution. The debate closed March 5, and a committee of investigation was then appointed. It reported the following May, exonerating the government and its officials from fraudulent designs or violation of neutrality laws.

On the 31st of May, Mr. Sumner denounced the administration, claimed that General Grant had made a plaything and a perquisite of the presidency, charged him with nepotism in the appointment of officers, asserted that public affairs had been conducted so as to secure his re-election, and appealed to the republican party to discard General Grant, and institute in the administration of government both purity and reform. An unpleasantness had existed for some time between Mr. Sumner and the President because the latter attempted to negotiate a treaty with the republic of San Domingo, without consulting the former, who was chairman of the committee on foreign affairs, and because from this position he was removed by the influence of the President, as was charged by the friends of Mr. Sumner. Congress adjourned June 10, 1872.

#### LIBERAL REPUBLICAN NATIONAL CONVENTION.

The republican party, which controlled the legislature of Missouri in 1870, split into two parts on the question of removing disabilities imposed upon confederates by the state constitution during the war. The partisans favoring the removal of disqualifications were headed by B. Gratz Brown and Carl Schurz, and they styled themselves "liberal republicans." Their opponents in the same party accepted the name of "radical republicans," an appellation given them by the liberals. Those supporting the departure from the "radicals" quickly allied themselves with the democrats, and the combination carried the state by 40,000 majority. Such a movement as the "bolters" thus initiated in Missouri had been indicated by Horace Greeley, and his course pointed out

the fact that he desired to be the champion of the new organization. The "liberal" movement was supported by Whitelaw Reid, Horace White, Murat Halstead, Henry Watterson, Charles Francis Adams, Senator Sumner, Judge Trumbull, and other men of ability; but Greeley was the recognized head of the "departure."

They condemned the enforcement acts of Congress, claiming that they promoted a war of races in the south instead of suppressing it, and were designed more for advancing the adherents of the President than benefiting the country. They charged the executive with aiming at the establishment of a military despotism. Many attached themselves to the movement who had been unrewarded for their services in the republican party. The Missouri state convention of "liberals," at Jefferson City, January 24, 1872, issued a call for a national convention of the liberal republican party, to be held at Cincinnati on the first of May. The convention was held at the appointed time and place with Carl Schurz as permanent chairman. Horace Greeley, Charles Francis Adams, B. Gratz Brown, Jacob D. Cox, Andrew G. Curtin, David Davis, John M. Palmer, and Lyman Trumbull were prominent candidates. After considerable changing of votes, Horace Greeley, on the sixth ballot, was declared duly chosen. Governor B. Gratz Brown, of Missouri, was elected candidate for the Vice-Presidency. The editor of the *Chicago Tribune*, Mr. Horace White, was chairman of the committee on resolutions. He reported a platform consisting of twelve planks, which favored the union of those who had been severed by past strife; and resolved in favor of a pure, honest, and constitutional government. After their national ticket was selected the original leaders prepared for a fusion of democrats and liberal republicans by inducing the former at their next convention, to adopt the "liberal" platform as enunciated at Cincinnati.

## REPUBLICAN NATIONAL CONVENTION.

The republicans met in national convention at Philadelphia, June 5, 1872. The next day, on the first and only ballot for Presidential nominee, General Grant received 762 votes, this being the unanimous support of the delegates. Schuyler Colfax and Henry Wilson were candidates for the second place on the ticket, but with a desire to favor the republican voters of New England and prevent two candidates coming from the west, the latter was chosen. Mr. Colfax thus shared the fate of Hannibal Hamlin in 1864.

A platform was adopted that called for a continuance of repressive measures "against individuals and states in the south, until civil rights and the right of suffrage should be finally secured to the ex-slaves."

## DEMOCRATIC NATIONAL CONVENTION.

The national convention of the democratic party was held at Baltimore, July 9, Mr. James R. Doolittle, of Wisconsin, being permanent chairman. The party, owing to the greatly changed condition of affairs effected by the war, had determined upon a new departure in politics, and the division in the republican party furnished a suitable opportunity. The committee on resolutions, July 10, reported in favor of the Cincinnati platform, and the convention received and adopted the report. The Cincinnati candidates, Greeley and Brown, were endorsed, and the fusion sought by the "liberals" was completed. The combination received the name of the "liberal republican democratic party."

## STRAIGHT-OUT DEMOCRATIC CONVENTION.

There were old-line and conservative democrats, proud of their party and its grand history, who were displeased with the action of the Baltimore convention. These, numbering

six hundred, met in convention at Louisville, September 3, and James Lyons was selected as permanent chairman. A letter from Charles O'Connor, reviewing the principles of old-time democracy, and protesting against their abandonment, was read to the convention. He declined to become a candidate, on the grounds of a preference for private life and the possible selection of a stronger candidate. But on the 4th of September, Charles O'Connor, of New York, and John Q. Adams, of Massachusetts, were nominated as the standard-bearers of the old-line democracy, who now called themselves straight-out democrats. Charles O'Connor positively declined the nomination before the convention adjourned. Mr. Adams also resigned, but notwithstanding their withdrawal, the candidates were kept in the race to the end, and received a popular vote of about thirty thousand.

#### TEMPERANCE NATIONAL CONVENTION.

The temperance party was organized in 1872, and consisted of a national combination of local temperance organizations, which had been in existence for many years. It received the name of the prohibition reform party in 1876. It met in national convention at Columbus, Ohio, February 22, and nominated James Black and A. H. Colquitt as candidates for the Presidency and Vice-Presidency.

#### LABOR REFORM NATIONAL CONVENTION.

The labor reform party grew out of the combinations of working men, called "trades union," which existed all over the country, and formed a body of voters of sufficient strength to command the attention of politicians. In several states they nominated candidates of their own, and created much discussion of measures for the benefit of working men. In all the national establishments the working day was reduced by Congress from ten to eight hours. Many persons of a

communistic tendency combined with the working men in their political organization, and the general tenor of the party's opinion was adverse to large accumulations of wealth, and in favor of reforms looking to a greater equality of condition among the people. The labor reform party met in national convention at Columbus, Ohio, February 21, and nominated David Davis for President, and Joel Parker for Vice-President. A platform was adopted, consisting of sixteen resolutions. The candidates declined in June, in consequence of which a convention of working men met at Philadelphia, August 22, and nominated Charles O'Connor for President.

#### PRESIDENTIAL ELECTION OF 1872.

An animated canvass followed the nominations, but at the election in November many implacable democrats refusing to vote for Greeley more than nullified the liberal republican vote. Two hundred and eighty-six republican and sixty-six democratic electors were chosen. The republican electors voted for Grant and Wilson. Soon after the election, Horace Greeley died, and the democratic electors were compelled to vote for other candidates. Thomas A. Hendricks, of Indiana, received forty-two votes for President, the remaining twenty-four votes being scattered. For Vice-President B. Gratz Brown received forty-seven votes, while nineteen were scattering. On account of fraud and illegality in the election, the fourteen votes of Arkansas and Louisiana were rejected.

Congress met December 2, 1872, the republicans being **Forty-second Congress,** } dominant in both branches. During **Second Session.** } the presidential campaign just closed democratic orators and newspapers had charged Mr. Colfax, the Vice-President, Mr. Wilson, the Vice-President elect, several senators, many representatives, the speaker of the House, and the secretary of the treasury, with having been bribed, during the years 1867 and 1868, by Oakes Ames, a

representative from Massachusetts, to influence their legislative action in the interest of the Union Pacific railroad company, by giving them presents of stock in a corporation called the Credit Mobilier.

#### CREDIT MOBILIER INVESTIGATION.

The speaker of the House, Mr. Blaine, moved that a committee of investigation be appointed by Hon. S. S. Cox, of New York, a prominent democrat, temporarily called to the chair. The committee consisted of Messrs. Poland, of Vermont; Banks, of Massachusetts; McCreary, of Iowa; Niblack, of Indiana; and Merrick, of Maryland. Messrs. Poland and McCreary were republicans, Mr. Banks was a liberal republican, while the other two gentlemen were among the ablest representatives of the democratic party. The two republicans were well known for their moderation, integrity, and impartiality. Thus it is seen the dominant party granted the investigation demanded by the outcry during the campaign, and summoned on the committee a majority of its political foes to conduct the investigation. Never before in the political history of our country had an all-important investigation been entrusted by the party in power to a majority of its political opponents. The committee carefully and patiently examined the testimony and made a report February 18, 1873, which carried with it greater weight than any other state paper submitted for many years upon a kindred subject. It gives the best and most reliable history of the whole affair, and it ought to be a judicial document commanding general approval.

The following taken from the committee's report explains the transactions which led to the investigation :

"The company called the 'Credit Mobilier of America' was incorporated by the legislature of Pennsylvania, and in 1864,

control of its charter and franchises had been obtained by certain persons interested in the Union Pacific Railroad Company, for the purpose of using it as a construction company to build the Union Pacific road. In September, 1864, a contract was entered into between the Union Pacific Company and H. M. Hoxie, for the building by said Hoxie of one hundred miles of said road from Omaha west.

"This contract was assigned by Hoxie to the Credit Mobilier Company, as it was expected to be when made. Under this contract and extensions of it, some two or three hundred miles of the road were built by the Credit Mobilier Company, but no considerable profits appear to have been realized therefrom. The enterprise of building a railroad to the Pacific was of such vast magnitude, and was beset by so many hazards and risks that the capitalists of the country were generally averse to investing in it, and, notwithstanding the liberal aid granted by the government, it seemed likely to fail of completion.

"In 1865 or 1866, Mr. Oakes Ames, a member of the House, from the state of Massachusetts, and his brother, Oliver Ames, became interested in the Union Pacific Company and also in the Credit Mobilier Company as the agents for the construction of the road. The Messrs. Ames were men of very large capital, and of known character and integrity in business. By their example and credit, and the personal efforts of Mr. Oakes Ames, many men of capital were induced to embark in the enterprise, and to take stock in the Union Pacific Company and also in the Credit Mobilier Company. Among them were the firm of S. Hooper & Co., of Boston, the leading member of which, Mr. Samuel Hooper, was then and is now a member of the House; Mr. John B. Alley, then a member of the House from Massachusetts, and Mr. Grimes, then a Senator from the state of Iowa. Notwithstanding the vigorous efforts of Mr. Ames and others interested with him, great difficulty was experienced in securing the required capital.

"In the spring of 1867, the Credit Mobilier Company voted to add 50 per cent. to their capital stock, which was then two and a half millions of dollars; and to cause it to be readily taken each subscriber to it was entitled to receive as a bonus



an equal amount of first mortgage bonds of the Union Pacific Company. The old stockholders were entitled to take this increase, but even the favorable terms offered did not induce all the old stockholders to take it, and the stock of the Credit Mobilier Company was never considered worth its par value until after the execution of the Oakes Ames contract hereinafter mentioned.

"On the 16th day of August, 1867, a contract was executed between the Union Pacific Railroad Company and Oakes Ames, by which Mr. Ames contracted to build six hundred and sixty-seven miles of the Union Pacific road at prices ranging from \$42,000 to \$96,000 per mile, amounting in the aggregate to \$47,000,000. Before the contract was entered into it was understood that Mr. Ames was to transfer it to seven trustees, who were to execute it, and the profits of the contract were to be divided among the stockholders in the Credit Mobilier Company, who should comply with certain conditions set out in the instrument transferring the contract to the trustees. The Ames contract and the transfer to trustees are incorporated in the evidence submitted, and therefore further recital of their terms is not deemed necessary.

"Substantially, all the stockholders of the Credit Mobilier complied with the conditions named in the transfer, and thus became entitled to share in any profits said trustees might make in executing the contract.

"All the large stockholders in the Union Pacific were also stockholders in the Credit Mobilier, and the Ames contract and its transfer to trustees were ratified by the Union Pacific, and received the assent of the great body of stockholders, but not of all.

"After the Ames contract had been executed, it was expected by those interested that by reason of the enormous prices agreed to be paid for the work very large profits would be derived from building the road, and very soon the stock of the Credit Mobilier was understood by those holding it to be worth much more than its par value. The stock was not in the market, and had no fixed market value, but the holders of it, in December, 1867, considered it worth at least double the par value, and in January and February, 1868, three or four times the par value, but it does not appear that

these facts were generally or publicly known, or that the holders of the stock desired they should be.

\* \* \* \* \*

"Mr. Oakes Ames was then a member of the House of Representatives, and came to Washington at the commencement of the session, about the beginning of December, 1867. During that month Mr. Ames entered into contracts with a considerable number of members of Congress, both senators and representatives, to let them have shares of stock in the Credit Mobilier Company at par, with interest thereon from the first day of the previous July. It does not appear that in any instance he asked any of these persons to pay a higher price than the par value and interest, nor that Mr. Ames used any special effort or urgency to get these persons to take it. In all these negotiations Mr. Ames did not enter into any details as to the value of the stock or the amount of dividend that might be expected upon it, but stated generally that it would be good stock, and in several instances said he would guarantee that they should get at least 10 per cent. on their money.

"Some of these gentlemen, in their conversations with Mr. Ames, raised the question whether becoming holders of this stock would bring them into any embarrassment as members of Congress in their legislative action. Mr. Ames quieted such suggestions by saying it could not, for the Union Pacific had received from Congress all the grants and legislation it wanted, and they should ask for nothing more. In some instances those members who contracted for stock paid to Mr. Ames the money for the price of the stock, par and interest; in others, where they had not the money, Mr. Ames agreed to carry the stock for them until they could get the money or it should be met by the dividends.

"Mr. Ames was at this time a large stockholder in the Credit Mobilier, but he did not intend any of these transactions to be sales of his own stock, but intended to fulfill all these contracts from stock belonging to the company.

"At this time there were about six hundred and fifty shares of the stock of the company, which had for some reason been placed in the name of Mr. T. C. Durant, one of the leading and active men of the concern.

"Mr. Ames claimed that a portion of this stock should be assigned to him to enable him to fulfill engagements he had made for stock. Mr. Durant claimed that he had made similar engagements that he should be allowed stock to fulfill. Mr. McComb, who was present at the time, claimed that he had also made engagements for stock which he should have stock given him to carry out. This claim of McComb was refused, but after the stock was assigned to Mr. Ames, McComb insisted that Ames should distribute some of the stock to his (McComb's) friends, and named Senators Bayard and Fowler, and Representatives Allison and Wilson, of Iowa.

"It was finally arranged that three hundred and forty-three shares of the stock of the company should be transferred to Mr. Ames to enable him to perform his engagements, and that number of shares were set over on the books of the company to Oakes Ames, trustee, to distinguish it from the stock held by him before. Mr. Ames at the time paid to the company the par of the stock and interest from the July previous, and this stock still stands on the books in the name of Oakes Ames, trustee, except thirteen shares which have been transferred to parties in no way connected with Congress. The committee do not find that Mr. Ames had any negotiation whatever with any of these members of Congress on the subject of this stock prior to the commencement of the session of December, 1867, except Mr. Scofield, of Pennsylvania, and it was not claimed that any obligation existed from Mr. Ames to him as the result of it.

"In relation to the purpose and motives of Mr. Ames in contracting to let members of Congress have Credit Mobilier stock at par, which he and all other owners of it considered worth at least double that sum, the committee, upon the evidence taken by them and submitted to the House, can not entertain doubt. When he said he did not suppose the Union Pacific Company would ask or need further legislation, he stated what he believed to be true. But he feared the interests of the road might suffer by adverse legislation, and what he desired to accomplish was to enlist strength and friends in Congress who would resist any encroachment upon or interference with the rights and privileges already secured, and to

that end wished to create in them an interest identical with his own. This purpose is clearly avowed in his letters to McComb, copied in the evidence. He says he intends to place the stock 'where it will do most good to us.' And again, 'we want more friends in this Congress.' In his letter to McComb, and also in his statement prepared by counsel, he gives the philosophy of his action, to wit, 'That he has found there is no difficulty in getting men to look after their own property.' The committee are also satisfied that Mr. Ames entertained a fear that, when the true relations between the Credit Mobilier Company and the Union Pacific became generally known, and the means by which the great profits expected to be made were fully understood, there was danger that congressional investigation and action would be invoked.

"The members of Congress with whom he dealt were generally those who had been friendly and favorable to a Pacific railroad, and Mr. Ames did not fear or expect to find them favorable to movements hostile to it; but he desired to stimulate their activity and watchfulness in opposition to any unfavorable action by giving them a personal interest in the success of the enterprise, especially so far as it affected the interest of the Credit Mobilier Company. On the 9th day of December, 1867, Mr. C. C. Washburn, of Wisconsin, introduced in the House a bill to regulate by law the rates of transportation over the Pacific Railroad.

"Mr. Ames, as well as others interested in the Union Pacific road, was opposed to this, and desired to defeat it. Other measures, apparently hostile to that company, were subsequently introduced into the House by Mr. Washburn, of Wisconsin, and Mr. Washburne, of Illinois. The committee believe that Mr. Ames, in his distributions of stock, had special in mind the hostile efforts of the Messrs. Washburn, and desired to gain strength to secure their defeat. The reference in one of his letters to 'Washburn's move' makes this quite apparent."

After making the preceding statements the committee reports the connection of particular persons with Mr. Ames and the Credit Mobilier Company. Special mention is made

of Messrs. Blaine, Dawes, Schofield, Bingham, Kelley, Brooks, Neilson, Durant, and Garfield. Some were in Congress, and some were not; some were exonerated, while others were found implicated according to the charges. The report of the committee on

**GARFIELD'S CONNECTION WITH THE CREDIT MOBILIER**

is in these words: "The facts in regard to Mr. Garfield, as found by the committee, are identical with the case of Mr. Kelley to the point of reception of the check of \$329. He agreed with Mr. Ames to take ten shares of Credit Mobilier stock, but did not pay for the same. Mr. Ames received the 80 per cent. dividend in bonds and sold them for 97 per cent., and also received the 60 per cent. cash dividend, which together paid the price of the stock and interest, and left a balance of \$329. This sum was paid over to Mr. Garfield by a check on the Sergeant-at-Arms, and Mr. Garfield then understood this sum was the balance of dividends after paying for the stock. Mr. Ames received all the subsequent dividends, and the committee do not find that, since the payment of the \$329, there has been any communication between Mr. Ames and Mr. Garfield on the subject until this investigation began."

The report closes by giving the law of Congress in regard to bribes, and by stating the manner in which the committee had performed their arduous duty. When the report was presented to the House, and sufficiently considered, the following resolutions were adopted:

*Resolved*, That the House absolutely condemns the conduct of Oakes Ames, a member of this House, from the state of Massachusetts, in seeking to procure congressional attention to the affairs of a corporation in which he was interested, and whose interest directly depended on the legislation of Con-

gress, by inducing members of Congress to invest in the stock of said corporation.

*Resolved*, That the House absolutely condemns the conduct of James Brooks, a member of this House, from New York, for the use of his position as government director of the Union Pacific Railroad, and as member of this House, to procure the assignment to himself, or family, of stock in the Credit Mobilier of America, a corporation having a contract with the Union Pacific Railroad, and whose interests depended directly upon the legislation of Congress.

These gentlemen, thus receiving the absolute condemnation of the House, died within three months after the resolutions were passed.

This session was especially noted for its investigations demanded and secured by the democrats; among which were the investigation of the New York custom house, the United States treasury, the use of Seneca sandstone, the Chorpensing claim, and the navy department. All these proved fruitless in the development of any tangible scandals.

#### THE SALARY GRAB.

On the 3d of March, 1873, Congress enacted a law increasing the salary of the President from \$25,000 to \$50,000, and that of senators and representatives from \$5,000 to \$5,700. The law required that the time for beginning the advance salary should be March 4, 1871, thus extending its provisions over the whole of the previous term of the forty-second Congress. It was very offensive to the mass of people, and was generally denounced as the "salary grab." The unpopular feature of the law was its application to the congressmen who passed the bill. Precedents in the history of Congress were found to excuse this act, but the people were dissatisfied, and both parties made it an issue in the nomination and election of representatives. Congressmen of both parties voted

for the bill, hence the "salary grab" was not a political issue between the parties; it was rather an issue between politicians and the people. The agitation was kept alive till the obnoxious features of the law were repealed, leaving the salary of representatives at \$5,000 a year and mileage.

An act was passed this session for abolishing the franking privilege.

#### RETURNING BOARDS.

Congressional reconstruction resulted in the formation of many state governments at the south, under the rule of the ex-slaves and white republicans, who were angrily called "carpet-baggers" by the other whites, who, when the governments were formed, had not the power of voting or refused to exercise it. The so-called "carpet-bag governments" created "returning boards," with the power of declaring the results of elections. When the whites, who at first did not vote, began to exercise the power of voting, they maintained that returning boards would not count votes legally, thereby perpetuating their governments. The returning boards, on the contrary, charged that violence of all kinds, such as arson, murder, and intimidation, had been employed by their opponents to make their minority vote appear a majority.

"Whenever these state governments were resisted they applied to Washington, and received federal assistance. Loose constructionists considered this proper under the fourth article, fourth section of the constitution." These troubles in the south were regarded by strict constructionists to be local political difficulties, with which the national government could not rightfully interfere.

The power of the returning board, under bold republican leaders, was made stronger in Louisiana than it had ever been in former times in well regulated states. It could canvass the votes, and in parishes where fraud or force had

been discovered, could reject the returns, in whole or in part, and could declare results after such investigation. The governor of the state made some removals and appointments of state officers, with the view of creating a friendly majority in the returning board; and "this led to the appointment of two bodies, each claiming to be the legitimate returning board." There soon followed this division two state governments and legislatures—the republican, headed by Governor William Pitt Kellogg; the democratic, by Governor John McEnery. Governor Kellogg brought suit against the democratic officials, before the federal district court, Judge Durell presiding, and obtained an order that S. B. Packard, United States Marshal, should seize the state house, and not allow the McEnery legislature to meet in the building. Both governments were now hastily inaugurated, and each claimed the recognition of Congress.

This conflict of state government now became a new question in politics, and required the attention of Congress this session, as well as consideration on the part of the President. A Senate committee, to which the Louisiana troubles had been referred, reported that the decision of Judge Durell was not warranted, and that a decisive recognition of either government was refused by the committee. A bill was introduced declaring that the election held November 4, 1872, which was the basis of Louisiana troubles, should be declared null and void, and that a new election should be held. This bill was defeated by a close vote.

The Louisiana difficulties were taken before the courts for adjudication, and the President decided by a proclamation that Governor Kellogg, and the officers chosen with him, constituted the government *de facto*, according to the decisions of the inferior and superior courts of Louisiana, and that this government would be sustained, to the extent of



federal power, in case there should arise such local difficulties as armed resistance or interference.

Political complications in Louisiana continued through several succeeding years, and claimed a large share of national politics to the close of the administration. Similar troubles in other states were suppressed with far less difficulty than those in Louisiana.

#### THE MORTON AMENDMENT.

Early in the session, Senator Morton, of Indiana, introduced an amendment to the constitution in regard to the election of a President. His speeches on the subject attracted much attention. On the 17th of January, 1873, he delivered a great speech in favor of his proposed amendment, stating the effect of the electoral system and the best remedies therefor. He recommended that electors be dispensed with, and that the President and Vice-President be chosen by the direct vote of the people. His plan was, that each state be divided into as many districts as it had senators and representatives, that each district have one vote in the election of President and Vice-President, and that the vote of that district be counted in favor of the candidate who should receive the largest number of votes in it. Many amendments to the constitution have been introduced since this resolution was before the Senate, and the question is a matter for annual discussion; but none of them have received the consideration which has been accorded to the Morton resolution. Congress adjourned March 4, 1873, and on the same day Grant and Wilson were sworn into office.

#### GENERAL GRANT'S SECOND INAUGURAL.

On the 4th of March, 1873, General Grant was inaugurated the second time as President. In his address he used these words: "It is my firm conviction that the civilized world is

tending to a republican form of government, by the people, through their chosen representatives, and that our great republic is destined to be the guiding star to all others. The states lately at war with the general government are now happily united, and no executive control is exercised in any one of them that would not be exercised in any other state under like circumstances." He then alluded to the admission of Santo Domingo as a territory of the Union, and expressed the belief that a favorable reception of the proposition would be for the best interests of both countries.

Congress met December 1, 1873, with a republican major-  
**Forty-third Congress,** } ity in both branches. The bill which  
**First Session.** } had been passed on the last day of the  
 preceding session for increasing the salary of congressmen  
 was repealed by the Senate, January 8.

#### THE CURRENCY BILL.

A bill for increasing the currency to four hundred million dollars elicited discussion, which occupied considerable time of Congress. It was passed by both houses, but was vetoed by the President, on the 22d of April, the friends of the bill not being sufficient to pass it over the President's objection.

The death of Hon. Charles Sumner, a distinguished senator and statesman from Massachusetts, occurred on the 11th of March, 1874, and interrupted awhile the proceedings of Congress. The people of the Union paid the senator a national tribute, appropriate to the distinction he had won. Congress adjourned June 23, 1874.

#### THE GRANGERS,

calling themselves the "Patrons of Husbandry," were probably the most important and influential order on existing political conditions. The local societies were called "granges," and the objects of the order, primarily economical and moral,

were to promote the higher development of farm life and labor, to encourage co-operation among farmers—for the restraint of exorbitant railroad freights, on grain, especially—to discourage the credit system, and borrowing on mortgages—and generally to set farmers to improving their material and moral condition. The order, at first non-partisan, became largely mixed up with politics, by designing men, and, as a consequence, its influence began to wane.

In 1873 and the following year the grangers made war on railroad corporations, and, having carried the legislatures of Illinois and Wisconsin, passed laws which almost bankrupted the Illinois Central, crippled all railroads, and interfered greatly with foreign exports. The reaction soon came and the demand for a repeal of the laws was greater than the original demand for passing them.

#### THE TIDAL WAVE.

The state elections held during October and November, 1874, gave strong democratic gains, indicating a reaction against the dominant party. This was occasioned by the fear of a destructive war of races in the south, as the result of the government's action toward that section of the country, to which was added the wide-spread sense of the necessity of reform in various ways, and of greater purity and integrity of administration. These elections the following year supplanted the republican majority in the House.

#### THE WHITE LEAGUE.

A secret organization, opposed to the enfranchisement of the colored people, arose in the south, under the name of "the white league." It opposed the "carpet-bag governments," and operated in such a way as to favor the "conservatives" of the south, who comprised the democrats of that section, and who believed that the government should be

managed by the whites. By the close of 1874, the conservatives had gained control of all the state governments except those of Florida, South Carolina, and Louisiana. In nearly all the reconstructed states the republican governments had called upon the President for military aid in maintaining their positions; but this was not granted, save in the case of outbreaks, which the proper state authorities could not suppress. In behalf of the republican governments in Texas, Arkansas, Alabama, and Mississippi, the President declined to interfere, except to direct the attorney-general to give legal advice. These governments demanded constant attention from the President, and his task was both difficult and dangerous. There came two cries from the south—one from democratic partisans, in behalf of home rule, and another from the colored people, claiming that they were constantly assaulted, intimidated, and disfranchised by the white league. The long duration of trouble in the south, and its very grave character, caused General Sheridan to be sent to New Orleans, having the command of the department of the gulf. He assumed the duties of his office on the 4th of January, 1875, the day on which the legislature of Louisiana was organized. Several members, who, as was alleged, were not entitled to seats, were ejected by United States troops, acting under order of the speaker and of Governor Kellogg. It created much excitement throughout the country, the democrats denouncing it as an unexampled interference of the federal Executive with state government. On the 10th of January, General Sheridan made a report concerning the doings of the "white league," that created astonishment throughout the country.

Congress met December 7, 1874, the republicans being in  
Forty-third Congress, } the majority in both branches. The  
Second Session. } resumption of specie payments was  
strongly recommended by the President in his message.

## THE SUPPLEMENTARY CIVIL RIGHTS BILL

originated and advocated so warmly by Senator Sumner, was signed by the President, and became a law March 1. Its validity was afterwards sustained by the federal district courts in their instructions to grand juries. Its object was to give additional power to existing laws for the impartial protection of person and property.

## THE KELLOGG GOVERNMENT.

President Grant sent a special message to Congress, January 13, in which he laid before that body the political condition of Louisiana, and asked for legislation thereon. Both branches, by strict party vote, recognized the Kellogg government. This action approved the position taken by the President regarding Louisiana. The influence of Congress was exerted to allay the political excitement regarding federal interference with the government of that state.

## THE WHEELER COMPROMISE.

A resolution was unanimously adopted by the House recommending that the House of Representatives of Louisiana seat the persons rightfully entitled thereto, and referring the whole subject by consent of those interested to a special committee of the House, who should examine into the Louisiana affairs. This committee reported a plan of settlement which was satisfactory to the Louisiana legislature, and which, having been adopted by that body, allayed all difficulties until the November election in 1876. The plan of adjustment takes its name from William A. Wheeler, a member of the committee, and is popularly known as the "Wheeler Compromise." Congress adjourned March 4, 1875. The Senate met in extra session the following day and adjourned March 24.

## RESUMPTION OF SPECIE PAYMENTS.

A bill providing for the resumption of specie payments on the 1st of January, 1879, was passed and approved in 1875. It was opposed by most of the democrats and by some republicans in Congress and in the country. Resumption was never unanimously opposed or approved by either party, though the majority of the democrats opposed it, and the majority of the republicans supported it. Some held that the restriction of currency would make hard times and prostrate business, and others held that inflation would be far more disastrous. No harm came of it, however, and resumption was accomplished at the time fixed, and practically some months before, without any convulsion or disturbance of business.

Finances formed a leading feature of the discussions and legislation of Grant's second term. The tendency of the policy of the government had been toward a return to specie payments, while a large section of the people, and of their congressional representatives, were anxious for an increase of paper currency. Much of the time of Congress was taken up with the subject, and it and the southern troubles and the revenue speculations, formed the main features of the administration during this second term. Hundreds of bills touching the finances and currency were introduced in Congress, but nothing was done with any save a very few. The President inclined to the "hard money" side.

## THE WHISKY RING.

An extensive whisky ring organized to control legislation so as to avoid revenue taxes, was discovered in the western states. It consisted of an association of distillers in collusion with federal officers, and succeeded for a time in defrauding the government of the tax on spirituous liquors. Regarding the ring the President said, "Let no guilty man escape."

This form of corruption "was traced by detectives to the portals of the White House," but nothing could be obtained to show any connection of the President therewith. His private secretary, O. E. Babcock, was tried on a charge of complicity with the fraud. He was acquitted but had to resign. At St. Louis, several federal officers were convicted.

Congress met December 6, 1875, the republicans having a **Forty-fourth Congress, } majority of eleven in the Senate, and**  
**First Session. } the democrats a majority of sixty-three in the House.** This was the first time since the war in which the republicans were not dominant. The change had been effected by what was called "the tidal wave." Mr. M. C. Kerr, of Indiana, was chosen speaker. The President's message urged the taxation of church property valued at one billion dollars. On the 15th of the month the House adopted a resolution against the third presidential term of office.

A bill for universal amnesty failed to pass the House, January 10, a two-thirds' majority not favoring the measure. During this session there was passed the "pension bill," appropriating \$29,553,500; "the centennial bill," appropriating \$1,500,000; a bill for the substitution of coin for fractional currency, and a bill recommending all the counties and towns in the country to have their histories prepared for July 4, and filed with the clerks of the counties and the librarian of Congress. The regular army was reduced to 25,000 men, the democrats especially favoring the reduction.

Several unsuccessful efforts were made to repeal the resumption acts of the preceding year. The approach of the presidential election caused the parties to be cautious. This, with the impeachment of Belknap and the exciting events connected with the centennial exposition at Philadelphia, was a restraint on bitter political struggles. The press, Congress and the government vied with one another in searching into all cases of alleged misconduct in office. The effect of these

investigations exerted a wholesome influence upon the administration, both as to efficiency and purity. The United States Senate instructed the secretary of the treasury to present a statement showing the losses to the government by theft, fraud and defalcation for the last forty years. The statement showed that the number of dollars lost on each thousand of government funds in President Jackson's last term amounted to \$11.18; in Van Buren's term the amount so lost was \$26.19; in Harrison and Tyler's term, \$14.49; in Polk's term, \$10.35; in Taylor and Fillmore's term, \$8.96; in Pierce's term, \$9.64; in Buchanan's term, \$8.77; in Lincoln's term, \$2.07; in Lincoln and Johnson's term, \$1.86; in Grant's first term, \$1.59, and in Grant's second term, \$1.01. This showing indicated that, while the revenue had increased more than five times, the losses on equal sums had diminished more than ten times, thus showing that the organization of the treasury department was improving as to efficiency and trusty officials.

#### IMPEACHMENT OF BELKNAP.

The secretary of war, William W. Belknap, on the charge of selling an Indian trading post, was impeached in 1876. The main specification was that Secretary Belknap received from Caleb P. Marsh \$1,500, in consideration of his having appointed John S. Evans to maintain a trading establishment at Fort Sill, and for continuing him therein. The case was closed July 26, and Mr. Belknap escaped punishment by a refusal of the requisite number to vote guilty. When the time for voting arrived, Belknap had resigned, and the claim was made that the Senate had no jurisdiction of the case, since the one impeached was a private citizen. Those who denied the right of jurisdiction voted not guilty.

Colorado was proclaimed a state of the Union on the 1st of August. Congress adjourned August 15, 1876.



## INDEPENDENT (GREENBACK) NATIONAL CONVENTION.

The legal-tender decision of the Supreme Court, in 1870, soon met with general approval, and its popularity was taken as the ground-work for the establishment of a new political organization, known as the "independent party," though commonly called the "greenback party," a name taken from that which they especially advocated. The independents called themselves "nationals" in 1878. The monetary panic of 1873 pressed heavily upon the people. To ease the rigors of the times, certain politicians advocated an unlimited issue of greenbacks, or an issue based upon the resources of the country. Discontented politicians of both parties pressed this idea so vigorously that they soon demoralized the democratic minority, and effected an alliance with the democracy in many sections of the Union. The democratic party desired issues which would make the people forget the war, and for this reason it is not surprising that they yielded, in some degree, to new theories and combinations. The alliance, on the part of the democrats, was a relinquishment of the hard money principles of President Jackson. Comparatively few of the democrats in the middle states yielded to the alliance; but in large portions of the west, the south, and New England there was but little difference, for several years, between democrats and greenbackers. Some republicans became tired of the old war issues, and gave in their adherence to the new organization. Other republicans, discontented with the leadership and management of their party, aided in the organization of the greenback party, and kept in it as long as it was prudent for them to do so. The greenbackers met in national convention at Indianapolis, May 17, 1876, and nominated Peter Cooper, of New York, and Samuel F. Cary, of Ohio. The platform adopted showed that its framers opposed the resump-

tion of specie payments, national bank notes, and the sale of bonds in a foreign market.

#### REPUBLICAN NATIONAL CONVENTION.

The republicans met in national convention at Cincinnati, June 14, 1876. James G. Blaine was the most prominent candidate before the convention. There was a belief that General Grant would be presented as a candidate, but there was a strong feeling against this, as had been expressed by a resolution passed by the House of Representatives, declaring that a third term for President would be a violation of the unwritten law handed down through the examples of Washington and Jackson. Resolutions to the same effect were passed by a republican state convention of Pennsylvania. The General's name, however, was not now presented. Hon. Edward McPherson was temporary chairman, and he decided against the binding force of the "unit rule." The friends of Mr. Blaine resisted this rule with a view to release some of his friends from instructions of state conventions. Pennsylvania had instructed for Hartranft, and New York for Conkling. In each state some delegates had been selected by their respective congressional districts previous to any state action, and these elections, as a rule, received confirmation by the state bodies. Where they were not confirmed there were contests, and the "right of district representation was jeopardized if not destroyed by the reinforcement of the unit rule." It was, therefore, thought to be a question of much importance by the "warring interests." This was the first time that the "unit rule" ever met with resistance. The convention sustained the decision of Mr. McPherson, and each delegate was at liberty to vote as he pleased.

General Rutherford B. Hayes, of Ohio, was nominated for President and Hon. William A. Wheeler, of New York, for Vice-President. The platform adopted demanded the vigor-

ous, immediate, and continued exercise of the powers of the national government, until all classes in their civil and political rights should be secure, and the southern states should be permanently pacified.

#### DEMOCRATIC NATIONAL CONVENTION.

The democratic national convention met at St. Louis, June 27. The unit and the two-thirds rule were enforced according to a long standing custom of the democratic party. John Kelley, the Tammany leader, of New York, excited great interests by the attitude which he took regarding the candidates. He bitterly opposed the nomination of Mr. Tilden, but after the ticket was formed he submitted to the will of the majority and supported the nominee. Samuel J. Tilden, of New York, and Thomas A. Hendricks, of Indiana, were nominated for the presidency and the vice-presidency. The platform adopted accepted all the results of the war, including the 13th, 14th, and 15th amendments, and demanded that the general government should withhold support from the carpet-bag governments in the south.

#### THE PROHIBITION NATIONAL CONVENTION.

The prohibition reform party met in national convention in Cleveland, Ohio, May the 17th; adopted a platform consisting of fifteen planks, and nominated for the leading position on their ticket Greene C. Smith and R. T. Stewart.

#### PRESIDENTIAL ELECTION OF 1876.

The overthrow of the "carpet-bag governments," and the difficulties in the south, impressed all with the feeling that the presidential election of 1876 would be close and exciting. This impression was confirmed by the result. The green-back electors polled 80,000 popular votes; 173 republican electors, and 184 democrats were chosen without dispute.

Hayes and Wheeler carried all the northern states, except New York, New Jersey, Connecticut and Indiana. All the southern states, except South Carolina, Florida, and Louisiana, voted for Tilden and Hendricks. The democrats claimed the three states last named, as well as one vote of Oregon, but both parties soon agreed that South Carolina and Oregon were republican. When this agreement was effected, the result hinged upon the returns of Florida and Louisiana, and from these states there came conflicting stories and claims for days and weeks. The eight votes of Louisiana and the four votes of Florida were announced to be republican by the returning boards of those states, and certificates of election were issued to republican electors. The democrats claimed that the returning boards had reached this result by refusing to count a large number of democratic votes, and that because of this fraud, Congress should refuse to accept the certificates of the republican electors from the two doubtful states. In opposition to this, the republicans claimed that the certificates of the returning board were the only legal voice of the state, declared by its own laws, and that the federal government had no right to revise or reject them. The position taken by the parties on this question showed that the democrats were advancing a loose constructionist claim, and the republicans a strict constructionist principle; consequently the parties changed principles.

This doubtful state of affairs induced some prominent republicans and democrats to visit the south and witness the count in the capitals of Florida, South Carolina, and Louisiana. President Grant appointed some of these politicians, while the democratic national committee appointed others; and both sets were called the "visiting statesmen," an appellation on which "were rung the political changes for months and years thereafter." The returning board of Florida decided that the republican majority in that state was 926; a

subsequent count of the face of the returns before the state Supreme Court gave Florida to the republicans a second time, but the majority was reduced to 206.

The Packard returning board in Louisiana refused to permit the democrats a representation thereon. It was in session three weeks, at the end of which time it made the following returns: Republican electors, 74,436; democratic, 70,505; republican majority, 3,931. McEnery, who claimed to be governor, reported a democratic majority of 7,876, and gave the democratic electors a certificate, based on an average vote of 83,635, against 75,759. So conflicting were the claims, that the result of the election was left to Congress, which would soon convene.

Congress met December 4, 1876. S. J. Randall, a democratic, was chosen speaker of the }  
Forty-fourth Congress, } House. The paramount duty of  
Second Session. } Congress was that of making a choice between the democratic and republican returns from Florida and Louisiana. The constitution makes no provision as to who shall count the electoral votes; it only directs that "the president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted." A joint authority over the counting had been exercised by the two houses according to a joint rule regulating the count, and votes on several accounts had been rejected; but now the House was democratic and the Senate was republican, and neither house would consent to a revision of the joint rule for the purpose of meeting the emergency. It was evident that each house would support the electors of its own party. The republicans claimed that to the president of the Senate belonged the sole authority of opening and announcing the returns in the presence of the two houses. The democrats disputed this right, and claimed that the joint body could legally control the count. It was

said by some democrats that the house could decide for itself, when the emergency had come in which it was to elect a chief magistrate.

The great dangers approaching the electoral count were known to all. It is stated that democrats, fearing the president of the Senate would exercise the authority of announcing the result, were preparing to swear in and inaugurate Tilden by secrecy, if possible, and by force, if necessary. Mr. Watterson, a representative from Kentucky, stated that he had completed arrangements to have 100,000 men at Washington on inauguration day to see that Tilden was installed.

The condition of affairs was thought by the President and secretary of war sufficiently critical to justify active preparations to secure the safe inauguration of Hayes. President Grant said that he "would have peace if he had to fight for it." Accordingly he sent to Governor Hartranft, of Pennsylvania, to ascertain if he could stop any movement of New York troops to the capital, "as he had information that the purpose was to forcibly install Tilden." The governor having replied that he could carry out the wish of President with the Grand Army of the Republic and the National Guards, returned to Harrisburg and prepared for such an emergency. The legislature was in session, and the republicans in caucus resolved, "without knowing exactly why, to sustain any action of the Governor with the resources of the state." The secretary of war, having sent for General Sherman, went on with comprehensive preparations which, if there had been a need for completion, would in a short time have put a check upon the madness of any mob. The time has not yet come for all this story to be told. "There is a most interesting unwritten history of events then transpiring, which no one now living can fully relate without unjustifiable violations of political and personal confidences." But the approaching danger was overcome by patriotic leaders of both great political parties.

These held several private conferences and agreed in substance upon a result several days before the introduction of the bill which decided the question. The leaders in these conferences on the part of the democrats were, Bayard, Gordon, Randall, and Hewitt; on the part of the republicans, Conkling, Edmunds, and Frelinghuysen. Mr. Hewitt was a representative, and a chairman of the national democratic committee.

#### ELECTORAL COMMISSION ACT

The solution of the difficulty was through the electoral commission act, which was passed by both houses. The act was a democratic measure, if judged from the votes cast for or against it. In the Senate it was opposed by sixteen republicans, and only one democrat. The bill passed this body by a vote of 47 to 17, and the House by 181 to 86. The act created an electoral commission, consisting of five senators, five representatives, and five justices of the Supreme Court. Of the Supreme Court, there were Judges Clifford, Field, Miller, and Strong, who selected Judge Bradley for the fifth; of the Senate there were Edmunds, Morton, and Frelinghuysen, republicans, and Bayard and Thurman were democrats. Senator Thurman subsequently retired on account of illness, and was succeeded by Kernan, of New York; of the House there were representatives Abbott, Hunton, and Payne, democrats, and Garfield and Hoar, republicans. All the votes upon which the two houses could not agree were to be referred to this commission, and its decision, unless overruled by both houses, was to be final. The electoral commission met February 1, and decided all objections to the electoral votes of Florida, Louisiana, South Carolina, and Oregon, in favor of the republicans. In other words, it took the position that the returns sent by the constituted authorities of a state must be accepted as final and conclusive, and could not be examined by any other state, or by all the states together. The

decision as to South Carolina and Oregon was a confirmation of what had previously been agreed upon.

The two parties disagreed by a strict party vote on nearly all the points at issue. The electoral votes having been counted according to the provisions of the act, were found to be 185 for Hayes and Wheeler, and 184 for Tilden and Hendricks. For a few weeks after this decision, which closed the greatest crisis that ever attended the election of a President in this country, there was a feeling of satisfaction and a willingness to acquiesce in the result, but in a short time many northern democrats, believing that their party had been deprived of its rightful President, manifested considerable partisan bitterness, and disputed the title of President Hayes, till the question was settled, June 14, 1878, by the House judiciary committee.

The conclusion of the electoral count was not reached till two days before the close of the session. Congress adjourned March 4, 1877, and March 5, Hayes and Wheeler were sworn into office.

The democratic party, in submitting to a decision, which they deemed inconclusive, gave proof of moderation and patriotism.

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## EXECUTIVE OFFICERS OF GRANT'S ADMINISTRATIONS.

Ulysses S. Grant.....	President .....	1869-1877
Schuyler Colfax.....	Vice-President.....	1869-1873
Henry Wilson.....	“ “ .....	1873-1875
Thomas W. Ferry.....	“ “ .....	1875-1877

## CABINET.

E. B. Washburne .....	Secretary of State.....	1869-1869
Hamilton Fish.....	“ “ .....	1869-1877
George S. Boutwell.....	Secretary of Treasury.....	1869-1873
William A. Richardson.....	“ “ “ .....	1873-1874
Benjamin H. Bristow.....	“ “ .....	1874-1876
Lot M. Morrill .....	“ “ .....	1876-1877
John A. Rawlins.....	Secretary of War.....	1869-1869
William W. Belknap.....	“ “ .....	1869-1876
Alphonso Taft.....	“ “ .....	1876-1876
James D. Cameron .....	“ “ .....	1876-1877
Adolph E. Borie.....	Secretary of Navy.....	1869-1869
George M. Robeson.....	“ “ .....	1869-1877
Jacob D. Cox.....	Secretary of Interior.....	1869-1870
Columbus Delano .....	“ “ “ .....	1870-1875
Zachariah Chandler.....	“ “ “ .....	1875-1877
John A. J. Creswell.....	Postmaster-General.....	1869-1874
Marshall Jewell.....	“ “ .....	1874-1876
James N. Tyner.....	“ “ .....	1876-1877

## JUDICIAL OFFICERS.

Salmon P. Chase.....	Chief Justice.....	1864-1873
Morrison R. Waite.....	“ .....	1874

## LEGISLATIVE OFFICERS.

James G. Blaine.....	Speaker of the House..	1869-1875
Michael C. Kerr.....	“ “ “ .....	1875-1876
Samuel J. Randall.....	“ “ “ .....	1876-1877

## 1872.—LABOR REFORM PLATFORM,

*Columbus, February 21.*

We hold that all political power is inherent in the people, and free government founded on their authority, and established for their benefit; that all citizens are equal in political rights, entitled to the largest religious and political liberty compatible with the good order of society, and also the use and enjoyment of the fruits of their labor and talents; and no man or set of men is entitled to exclusive separable endowments and privileges or immunities from the government, but in consideration of public services; and any laws destructive of these fundamental principles are without moral binding force, and should be repealed. And believing that all the evils resulting from unjust legislation, now affecting the industrial

classes, can be removed by the adoption of the principles contained in the following declaration; therefore,

*Resolved*, That it is the duty of the government to establish a just standard of distribution of capital and labor, by providing a purely national circulating medium, based on the faith and resources of the nation, issued directly to the people without the intervention of any system of banking corporations, which money shall be legal tender in the payment of all debts, public and private, and interchangeable, at the option of the holder, for government bonds bearing a rate of interest not to exceed 3.65 per cent., subject to future legislation by Congress.

2. That the national debt should be paid in good faith, according to the original contract, at the earliest option of the government, without mortgaging the property of the people or the future exigencies of labor to enrich a few capitalists at home and abroad.

3. That justice demands that the burdens of government should be so adjusted as to bear equally on all classes, and that the exemption from taxation of government bonds, bearing extravagant rates of interest, is a violation of all just principles of revenue laws.

4. That the public lands of the United States belong to the people, and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted to landless settlers only, in amounts not exceeding one hundred and sixty acres of land.

5. That Congress should modify the tariff so as to admit free such articles of common use as we can neither produce nor grow, and lay duties for revenue mainly upon articles of luxury, and upon such articles of manufacture as will, we having the raw materials, assist in further developing the resources of the country.

6. That the presence in our country of Chinese laborers, imported by capitalists in large numbers for servile use, is an evil entailing want and its attendant train of misery and crime on all classes of the American people, and should be prohibited by legislation.

7. That we ask for the enactment of a law by which all mechanics and day-laborers employed by or on behalf of the government, whether directly or indirectly, through persons, firms, or corporations, contracting with the state, shall conform to the reduced standard of eight hours a day, recently adopted by Congress for national employes; and also for an amendment to the acts of incorporation for cities and towns, by which all laborers and mechanics employed at their expense shall conform to the same number of hours.

8. That the enlightened spirit of the age demands the abolition of the system of contract labor in our prisons and other reformatory institutions.

9. That the protection of life, liberty, and property are the three cardinal principles of government, and the first two are more sacred than the latter; therefore, money needed for prosecuting wars should, as it is required, be assessed and collected from the wealthy of the country, and not entailed as a burden on posterity.

10. That it is the duty of the government to exercise its power over railroads and telegraph corporations, that they shall not in any case be privileged to exact such rates of freight, transportation, or charges, by whatever name, as may bear unduly or unequally upon the producer or consumer.

11. That there should be such a reform in the civil service of the national government as will remove it beyond all partisan influence, and place it in the charge and under the direction of intelligent and competent business men.

12. That as both history and experience teach us that power ever seeks to perpetuate itself by every and all means, and that its prolonged possession in hands of one person is always dangerous to the interests of a free people, and believing that the spirit of our organic laws and the stability and safety of our free institutions are best obeyed on the one hand, and secured on the other, by a regular constitutional change in the chief of the country at each election; therefore, we are in favor of limiting the occupancy of the presidential chair to one term.

13. That we are in favor of granting general amnesty and restoring the Union at once on the basis of equality of rights and privileges to all, the impartial administration of justice being the only true bond of union to bind the states together, and restore the government of the people.

14. That we demand the subjection of the military to the civil authorities, and the confinement of its operations to national purposes alone.

15. That we deem it expedient for Congress to supervise the patent laws, so as to give labor more fully the benefit of its own ideas and inventions.

16. That fitness, and not political or personal considerations, should be the only recommendation to public office, either appointive or elective; and any and all laws looking to the establishment of this principle are heartily approved.

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#### 1872.—PROHIBITION PLATFORM,

*Columbus, Ohio, February 22.*

The preamble recites that protection and allegiance are reciprocal duties; and every citizen who yields obediently to the full commands of government should be protected in all enjoyment of personal security, personal liberty, and private property. That the traffic in intoxicating drinks

greatly impairs the personal security and personal liberty of a great mass of citizens, and renders private property insecure. That all political parties are hopelessly unwilling to adopt an adequate policy on this question: Therefore, as a national convention, we adopt the following declaration of principles:

That while we acknowledge the pure patriotism and profound statesmanship of those patriots who laid the foundation of this government, securing at once the rights of the states severally and their inseparable union by the federal constitution, we would not merely garnish the sepulchres of our republican fathers, but we do hereby renew our pledges of solemn fealty to the imperishable principles of civil and religious liberty embodied in the Declaration of Independence and our federal constitution.

That the traffic in intoxicating beverages is a dishonor to Christian civilization, a political wrong of unequaled enormity, subversive of ordinary objects of government, not capable of being regulated or restrained by any system of license whatever, and imperatively demands, for its suppression, effective legal prohibition, both by state and national legislation.

That there can be no greater peril to a nation than existing party competition for the liquor vote. That any party not opposed to the traffic, experience shows, will engage in this competition—will court the favor of criminal classes—will barter away the public morals, the purity of the ballot, and every object of good government, for party success.

That, as prohibitionists, we will individually use all efforts to persuade men from the use of intoxicating liquors; and we invite all persons to assist in this movement.

That competence, honesty, and sobriety are indispensable qualifications for holding office.

That removals from public office for mere political differences of opinion are wrong.

That fixed and moderate salaries of public officers should take the places of fees and perquisites; and that all means should be taken to prevent corruption and encourage economy.

That the President and Vice-President should be elected directly by the people.

That we are in favor of a sound national currency, adequate to the demands of business, and convertible into gold and silver at the will of the holder, and the adoption of every measure compatible with justice and public safety to appreciate our present currency to the gold standard.

That the rates of ocean and inland postage, and railroad and telegraph lines and water transportation, should be made as low as possible by law.

That we are opposed to all discrimination in favor of capital against labor, as well as all monopoly and class legislation.

That the removal of the burdens imposed in the traffic in intoxicating drinks will emancipate labor, and practically promote labor reform.

That suffrage should be granted to all persons, without regard to sex.

That the fostering and extension of common schools is a primary duty of the government.

That a liberal policy should be pursued to promote foreign immigration.

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### 1872.—LIBERAL REPUBLICAN PLATFORM,

*Cincinnati, May 1.*

We, the liberal republicans of the United States, in national convention assembled at Cincinnati, proclaim the following principles as essential to just government:

1. We recognize the equality of all men before the law, and hold that it is the duty of government, in its dealings with the people, to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political.

2. We pledge ourselves to maintain the union of these states, emancipation, and enfranchisement, and to oppose any re-opening of the questions settled by the thirteenth, fourteenth, and fifteenth amendments of the constitution.

3. We demand the immediate and absolute removal of all disabilities imposed on account of the rebellion, which was finally subdued seven years ago, believing that universal amnesty will result in complete pacification in all sections of the country.

4. Local self-government, with impartial suffrage, will guard the rights of all citizens more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority, and the freedom of person under the protection of the *habeas corpus*. We demand for the individual the largest liberty consistent with public order, for the state self-government, and for the nation a return to the methods of peace and the constitutional limitations of power.

5. The civil service of the government has become a mere instrument of partisan tyranny and personal ambition, and an object of selfish greed. It is a scandal and reproach upon free institutions, and breeds a demoralization dangerous to the perpetuity of republican government. We, therefore, regard a thorough reform of the civil service as one of the most pressing necessities of the hour; that honesty, capacity, and fidelity constitute the only valid claims to public employment; that the offices of the government cease to be a matter of arbitrary favoritism and patronage, and that public station shall become again a post of honor. To this end, it is im-

peratively required that no President shall be a candidate for re-election.

6. We demand a system of federal taxation which shall not unnecessarily interfere with the industry of the people, and which shall provide the means necessary to pay the expenses of the government, economically administered, the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof; and recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their congressional districts and the decision of Congress thereon, wholly free from Executive interference or dictation.

7. The public credit must be sacredly maintained, and we denounce repudiation in every form and guise.

8. A speedy return to specie payment is demanded alike by the highest considerations of commercial morality and honest government.

9. We remember with gratitude the heroism and sacrifices of the soldiers and sailors of the republic; and no act of ours shall ever detract from their justly earned fame or the full rewards of their patriotism.

10. We are opposed to all further grants of lands to railroads or other corporations. The public domain should be held sacred to actual settlers.

11. We hold that it is the duty of the government, in its intercourse with foreign nations, to cultivate the friendships of peace, by treating with all on fair and equal terms, regarding it alike dishonorable either to demand what is not right or submit to what is wrong.

12. For the promotion and success of these vital principles and the support of the candidates nominated by this convention, we invite and cordially welcome the co-operation of all patriotic citizens, without regard to previous political affiliations.

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#### 1872.—DEMOCRATIC PLATFORM,

*Baltimore, July 9.*

We, the democratic electors of the United States, in convention assembled, do present the following principles, already adopted at Cincinnati, as essential to just government:

[Here followed the "liberal republican platform"; which see above.]

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#### 1872.—REPUBLICAN PLATFORM,

*Philadelphia, June 5.*

The republican party of the United States, assembled in national convention in the city of Philadelphia, on the 5th and 6th days of June, 1872,

again declares its faith, appeals to its history, and announces its position upon the questions before the country:

1. During eleven years of supremacy it has accepted, with grand courage, the solemn duties of the time. It suppressed a gigantic rebellion; emancipated four millions of slaves, decreed the equal citizenship of all, and established universal suffrage. Exhibiting unparalleled magnanimity, it criminally punished no man for political offenses, and warmly welcomed all who proved their loyalty by obeying the laws and dealing justly with their neighbors. It has steadily decreased, with firm hand, the resultant disorders of a great war, and initiated a wise and humane policy toward the Indians. The Pacific railroad and similar vast enterprises have been generously aided and successfully conducted, the public lands freely given to actual settlers, immigration protected and encouraged, and a full acknowledgment of the naturalized citizen's rights secured from European powers. A uniform national currency has been provided, repudiation frowned down, the national credit sustained under the most extraordinary burdens, and new bonds negotiated at lower rates. The revenues have been carefully collected and honestly applied. Despite annual large reductions of the rates of taxation, the public debt has been reduced during General Grant's presidency at the rate of a hundred millions a year, great financial crises have been avoided, and peace and plenty prevail throughout the land. Menacing foreign difficulties have been peacefully and honorably compromised, and the honor and power of the nation kept in high respect throughout the world. This glorious record of the past is the party's best pledge for the future. We believe the people will not intrust the government to any party or combination of men composed chiefly of those who have resisted every step of this beneficent progress.

2. The recent amendments to the national constitution should be cordially sustained because they are right, not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation, the enforcement of which can safely be intrusted only to the party that secured those amendments.

3. Complete liberty and exact equality in the enjoyment of all civil, political, and public rights should be established and effectually maintained throughout the Union by efficient and appropriate state and federal legislation. Neither the law nor its administration should admit any discrimination in respect to citizens by reason of race, creed, color, or previous condition of servitude.

4. The national government should seek to maintain honorable peace with all nations, protecting its citizens everywhere, and sympathizing with all peoples who strive for greater liberty.

5. Any system of civil service under which the subordinate positions of

the government are considered rewards for mere party zeal is fatally demoralizing; and we, therefore, favor a reform of the system, by laws which shall abolish the evils of patronage, and make honesty, efficiency, and fidelity the essential qualifications for public positions, without practically creating a life tenure of office.

6. We are opposed to further grants of the public lands to corporations and monopolies, and demand that the national domain be set apart for free homes for the people.

7. The annual revenue, after paying current expenditures, pensions, and the interest on the public debt, should furnish a moderate balance for the reduction of the principal; and that revenue, except so much as may be derived from a tax upon tobacco and liquors, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and promote the industries, prosperity, and growth of the whole country.

8. We hold in undying honor the soldiers and sailors whose valor saved the Union. Their pensions are a sacred debt of the nation, and the widows and orphans of those who died for their country are entitled to the care of a generous and grateful people. We favor such additional legislation as will extend the bounty of the government to all our soldiers and sailors who were honorably discharged, and who in the line of duty became disabled, without regard to the length of service or the cause of such discharge.

9. The doctrine of Great Britain and other European powers concerning allegiance—"once a subject always a subject"—having at last, through the efforts of the republican party, been abandoned, and the American idea of the individual's right to transfer allegiance having been accepted by European nations, it is the duty of our government to guard with jealous care the rights of adopted citizens against the assumption of unauthorized claims by their former governments, and we urge continued careful encouragement and protection of voluntary immigration.

10. The franking privilege ought to be abolished, and a way prepared for a speedy reduction in the rates of postage.

11. Among the questions which press for attention is that which concerns the relations of capital and labor; and the republican party recognizes the duty of so shaping legislation as to secure full protection and the amplest field for capital, and for labor, the creator of capital, the largest opportunities and a just share of the mutual profits of these two great servants of civilization.

12. We hold that Congress and the President have only fulfilled an imperative duty in their measures for the suppression of violence and treasonable organizations in certain lately rebellious regions, and for the pro-



tection of the ballot-box; and, therefore, they are entitled to the thanks of the nation.

13. We denounce repudiation of the public debt, in any form or disguise, as a national crime. We witness with pride the reduction of the principal of the debt, and of the rates of interest upon the balance, and confidently expect that our excellent national currency will be perfected by a speedy resumption of specie payment.

14. The republican party is mindful of its obligations to the loyal women of America for their noble devotion to the cause of freedom. Their admission to wider fields of usefulness is viewed with satisfaction; and the honest demand of any class of citizens for additional rights should be treated with respectful consideration.

15. We heartily approve the action of Congress in extending amnesty to those lately in rebellion, and rejoice in the growth of peace and fraternal feeling throughout the land.

16. The republican party proposes to respect the rights reserved by the people to themselves as carefully as the powers delegated by them to the states and to the federal government. It disapproves of the resort to unconstitutional laws for the purpose of removing evils, by interference with rights not surrendered by the people to either the state or national government.

17. It is the duty of the general government to adopt such measures as may tend to encourage and restore American commerce and ship-building.

18. We believe that the modest patriotism, the earnest purpose, the sound judgment, the practical wisdom, the incorruptible integrity, and the illustrious services of Ulysses S. Grant have commended him to the heart of the American people; and with him at our head, we start to-day upon a new march to victory.

19. Henry Wilson, nominated for the vice-presidency, known to the whole land from the early days of the great struggle for liberty as an indefatigable laborer in all campaigns, an incorruptible legislator and representative man of American institutions, is worthy to associate with our great leader and share the honors which we pledge our best efforts to bestow upon them.

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#### 1872.—DEMOCRATIC (STRAIGHT-OUT) PLATFORM,

*Louisville Ky., September 3.*

WHEREAS, A frequent recurrence to first principles, and eternal vigilance against abuses, are the wisest provisions for liberty, which is the source of progress, and fidelity to our constitutional system is the only protection for either; therefore,

*Resolved*, That the original basis of our whole political structure is consent in every part thereof. The people of each state voluntarily created their state, and the states voluntarily formed the Union; and each state provided by its written constitution for everything a state could do for the protection of life, liberty, and property within it; and each state, jointly with the others, provided a federal Union for foreign and interstate relations.

*Resolved*, That all governmental powers, whether state or federal, are trust powers, coming from the people of each state, and that they are limited to the written letter of the constitution and the laws passed in pursuance of it which powers must be exercised in the utmost good faith, the constitution itself stating in what manner they may be altered and amended.

*Resolved*, That the interests of labor and capital should not be permitted to conflict, but should be harmonized by judicious legislation. While such a conflict continues, labor, which is the parent of wealth, is entitled to paramount consideration.

*Resolved*, That we proclaim to the world that principle is to be preferred to power; that the democratic party is held together by the cohesion of time-honored principles, which they will never surrender in exchange for all the offices which Presidents can confer. The pangs of the minorities are doubtless excruciating; but we welcome an eternal minority, under the banner inscribed with our principles, rather than an almighty and everlasting majority, purchased by their abandonment.

*Resolved*, That, having been betrayed at Baltimore into a false creed and a false leadership by the convention, we repudiate both, and appeal to the people to approve our platform, and to rally to the polls, and support the true platform and the candidates who embody it.

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#### 1875.—THE AMERICAN NATIONAL PLATFORM,

*Adopted in Mass Meeting, Pittsburg, June 9.*

We hold:

1. That ours is a Christian, and not a heathen nation, and that the God of the Christian Scriptures is the author of civil government.
2. That God requires and man needs a Sabbath.
3. That the prohibition of the importation, manufacture, and sale of intoxicating drinks as a beverage, is the true policy on the temperance question.
4. The charters of all secret lodges granted by our federal and state legislatures should be withdrawn, and their oaths prohibited by law.

5. That the civil equality secured to all American citizens by articles 13, 14, and 15 of our amended constitution should be preserved inviolate.

6. That arbitration of differences with nations is the most direct and sure method of securing and perpetuating a permanent peace.

7. That to cultivate the intellect without improving the morals of men is to make mere adepts and experts; therefore the Bible should be associated with books of science and literature in all our educational institutions.

8. That land and other monopolies should be discountenanced.

9. That the government should furnish the people with an ample and sound currency, and a return to specie payment, as soon as practicable.

10. That maintenance of the public credit, protection to all loyal citizens, and justice to Indians are essential to the honor and safety of our nation.

11. And, finally, we demand for the American people the abolition of electoral colleges, and a direct vote for President and Vice-President of the United States.

[Their candidates were James B. Walker, Wheaton, Illinois, for President; and Donald Kirkpatrick, Syracuse, New York, for Vice-President.]

#### 1876.—PROHIBITION REFORM PLATFORM,

*Cleveland, Ohio, May 17.*

The prohibition reform party of the United States, organized in the name of the people, to revive, enforce, and perpetuate in the government the doctrines of the Declaration of Independence, submit, in this centennial year of the republic, for the suffrages of all good citizens, the following platform of national reforms and measures:

1. The legal prohibition in the District of Columbia, the territories, and in every other place subject to the laws of Congress, of the importation, exportation, manufacture, and traffic of all alcoholic beverages, as high crimes against society; an amendment of the national constitution, to render these prohibitory measures universal and permanent; and the adoption of treaty stipulations with foreign powers, to prevent the importation and exportation of all alcoholic beverages.

2. The abolition of class legislation, and of special privileges in the government, and the adoption of equal suffrage and eligibility to office, without distinction of race, religious creed, property, or sex.

3. The appropriation of the public lands, in limited quantities, to actual settlers only; the reduction of the rates of inland and ocean postage; of

telegraphic communication; of railroad and water transportation and travel, to the lowest practical point, by force of laws, wisely and justly framed, with reference, not only to the interest of capital employed, but to the higher claims of the general good.

4. The suppression, by laws, of lotteries and gambling in gold, stocks, produce, and every form of money and property, and the penal inhibition of the use of the public mails for advertising schemes of gambling and lotteries.

5. The abolition of those foul enormities, polygamy and the social evil; and the protection of purity, peace, and happiness of homes, by ample and efficient legislation.

6. The national observance of the Christian Sabbath, established by laws prohibiting ordinary labor and business in all departments of public service and private employment (works of necessity, charity, and religion excepted) on that day.

7. The establishment, by mandatory provisions in national and state constitutions, and by all necessary legislation, of a system of free public schools for the universal and forced education of all the youth of the land.

8. The free use of the Bible, not as a ground of religious creeds, but as a text-book of purest morality, the best liberty, and the noblest literature in our public schools, that our children may grow up in its light, and that its spirit and principles may pervade our nation.

9. The separation of the government in all its departments and institutions, including the public schools, and all funds for their maintenance, from the control of every religious sect or other association, and the protection alike of all sects by equal laws, with entire freedom of religious faith and worship.

10. The introduction into all treaties hereafter negotiated with foreign governments of a provision for the amicable settlement of international difficulties by arbitration.

11. The abolition of all barbarous modes and instruments of punishment; the recognition of the laws of God, and the claims of humanity in the discipline of jails and prisons, and of that higher and wiser civilization worthy of our age and nation, which regards the reform of criminals as a means for the prevention of crime.

12. The abolition of executive and legislative patronage, and the election of President, Vice-President, United States senators, and of all civil officers, so far as practicable, by the direct vote of the people.

13. The practice of a friendly and liberal policy to immigrants from all nations, the guaranty to them of ample protection, and of equal rights and privileges.

14. The separation of the money of government from all banking insti-

tutions. The national government, only, should exercise the high prerogative of issuing paper money, and that should be subject to prompt redemption on demand, in gold and silver, the only equal standards of value recognized by the civilized world.

15. The reduction of the salaries of public officers in a just ratio with the decline of wages and market prices; the abolition of sinecures, unnecessary offices, and official fees and perquisites; the practice of strict economy in government expenses; and a free and thorough investigation into any and all alleged abuses of public trusts.

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#### 1876.—INDEPENDENT (GREENBACK) PLATFORM,

*Indianapolis, Ind., May 17.*

The independent party is called into existence by the necessities of the people, whose industries are prostrated, whose labor is deprived of its just reward by a ruinous policy which the republican and democratic parties refuse to change; and, in view of the failure of these parties to furnish relief to the depressed industries of the country, thereby disappointing the just hopes and expectations of the suffering people, we declare our principles, and invite all independent and patriotic men to join our ranks in this movement for financial reform and industrial emancipation.

1. We demand the immediate and unconditional repeal of the specie resumption act of January 14, 1875, and the rescue of our industries from ruin and disaster resulting from its enforcement; and we call upon all patriotic men to organize in every congressional district of the country, with a view of electing representatives to Congress who will carry out the wishes of the people in this regard and stop the present suicidal and destructive policy of contraction.

2. We believe that a United States note, issued directly by the government, and convertible, on demand, into United States obligations, bearing a rate of interest not exceeding one cent a day on each one hundred dollars, and exchangeable for United States notes at par, will afford the best circulating medium ever devised. Such United States notes should be full legal tenders for all purposes, except for the payment of such obligations as are, by existing contracts, especially made payable in coin; and we hold that it is the duty of the government to provide such a circulating medium, and insist, in the language of Thomas Jefferson, that "bank paper must be suppressed, and the circulation restored to the nation, to whom it belongs."

3. It is the paramount duty of the government, in all its legislation, to

keep in view the full development of all legitimate business, agricultural, mining, manufacturing, and commercial.

4. We most earnestly protest against any further issue of gold bonds for sale in foreign markets, by which we would be made, for a long period, "hewers of wood and drawers of water" to foreigners, especially as the American people would gladly and promptly take at par all bonds the government may need to sell, provided they are made payable at the option of the holder, and bearing interest at 3.65 per cent. per annum or even a lower rate.

5. We further protest against the sale of government bonds for the purpose of purchasing silver to be used as a substitute for our more convenient and less fluctuating fractional currency, which, although well calculated to enrich owners of silver mines, yet in operation it will still further oppress, in taxation, an already overburdened people.

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#### 1876.—REPUBLICAN PLATFORM,

*Cincinnati, Ohio, June 14.*

When, in the economy of Providence, this land was to be purged of human slavery, and when the strength of the government of the people, by the people, and for the people, was to be demonstrated, the republican party came into power. Its deeds have passed into history, and we look back to them with pride. Incited by their memories to high aims for the good of our country and mankind, and looking to the future with unfaltering courage, hope, and purpose, we, the representatives of the party, in national convention assembled, make the following declaration of principles:

1. The United States of America is a nation, not a league. By the combined workings of the national and state governments, under their respective constitutions, the rights of every citizen are secured, at home and abroad, and the common welfare promoted.

2. The republican party has preserved these governments to the hundredth anniversary of the nation's birth, and they are now embodiments of the great truths spoken at its cradle—"That all men are created equal; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness; that for the attainment of these ends governments have been instituted among men, deriving their just powers from the consent of the governed." Until these truths are cheerfully obeyed, or, if need be, vigorously enforced, the work of the republican party is unfinished.

3. The permanent pacification of the southern section of the Union, and the complete protection of all its citizens in the free enjoyment of all their

rights, is a duty to which the republican party stands sacredly pledged. The power to provide for the enforcement of the principles embodied in the recent constitutional amendments is vested, by those amendments, in the Congress of the United States; and we declare it to be the solemn obligation of the legislative and executive departments of the government to put into immediate and vigorous exercise all their constitutional powers for removing any just causes of discontent on the part of any class, and for securing to every American citizen complete liberty and exact equality in the exercise of all civil, political, and public rights. To this end we imperatively demand a Congress and a Chief Executive whose courage and fidelity to these duties shall not falter until these results are placed beyond dispute or recall.

4. In the first act of Congress signed by President Grant, the national government assumed to remove any doubt of its purpose to discharge all just obligations to the public creditors, and "solemnly pledged its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin." Commercial prosperity, public morals, and national credit demand that this promise be fulfilled by a continuous and steady progress to specie payment.

5. Under the constitution, the President and heads of departments are to make nominations for office, the Senate is to advise and consent to appointments, and the House of Representatives is to accuse and prosecute faithless officers. The best interest of the public service demands that these distinctions be respected; that senators and representatives who may be judges and accusers should not dictate appointments to office. The invariable rule in appointments should have reference to the honesty, fidelity, and capacity of the appointees, giving to the party in power those places where harmony and vigor of administration require its policy to be represented, but permitting all others to be filled by persons selected with sole reference to the efficiency of the public service, and the right of all citizens to share in the honor of rendering faithful service to the country.

6. We rejoice in the quickened conscience of the people concerning political affairs, and will hold all public officers to a rigid responsibility, and engage that the prosecution and punishment of all who betray official trusts shall be swift, thorough, and unsparing.

7. The public school system of the several states is the bulwark of the American republic; and, with a view to its security and permanence, we recommend an amendment to the constitution of the United States, forbidding the application of any public funds or property for the benefit of any schools or institutions under sectarian control.

8. The revenue necessary for current expenditures, and the obligations of the public debt, must be largely derived from duties upon importations

which, so far as possible, should be adjusted to promote the interests of American labor and advance the prosperity of the whole country.

9. We reaffirm our opposition to further grants of the public lands to corporations and monopolies, and demand that the national domain be devoted to free homes for the people.

10. It is the imperative duty of the government so to modify existing treaties with European governments, that the same protection shall be afforded to the adopted American citizen that is given to the native-born; and that all necessary laws should be passed to protect emigrants in the absence of power in the states for that purpose.

11. It is the immediate duty of Congress to fully investigate the effect of the immigration and importation of Mongolians upon the moral and material interests of the country.

12. The republican party recognizes, with approval, the substantial advances recently made towards the establishment of equal rights for women by the many important amendments effected by republican legislatures in the laws which concern the personal and property relations of wives, mothers, and widows, and by the appointment and election of women to the superintendence of education, charities, and other public trusts. The honest demands of this class of citizens for additional rights, privileges, and immunities, should be treated with respectful consideration.

13. The constitution confers upon Congress sovereign power over the territories of the United States for their government; and in the exercise of this power it is the right and duty of Congress to prohibit and extirpate, in the territories, that relic of barbarism—polygamy; and we demand such legislation as shall secure this end and the supremacy of American institutions in all the territories.

14. The pledges which the nation has given to her soldiers and sailors must be fulfilled, and a grateful people will always hold those who imperiled their lives for the country's preservation in the kindest remembrance.

15. We sincerely deprecate all sectional feeling and tendencies. We, therefore, note with deep solicitude that the democratic party counts, as its chief hope of success, upon the electoral vote of a united south, secured through the efforts of those who were recently arrayed against the nation; and we invoke the earnest attention of the country to the grave truth that a success thus achieved would reopen sectional strife, and imperil national honor and human rights.

16. We charge the democratic party with being the same in character and spirit as when it sympathized with treason; with making its control of the House of Representatives the triumph and opportunity of the nation's recent foes; with reasserting and applauding, in the national capitol,



the sentiments of unrepentent rebellion; with sending Union soldiers to the rear, and promoting confederate soldiers to the front; with deliberately proposing to repudiate the plighted faith of the government; with being equally false and imbecile upon the overshadowing financial questions; with thwarting the ends of justice by its partisan mismanagement and obstruction of investigation; with proving itself, through the period of its ascendancy in the lower house of Congress, utterly incompetent to administer the government; and we warn the country against trusting a party thus alike unworthy, recreant, and incapable.

17. The national administration merits commendation for its honorable work in the management of domestic and foreign affairs, and President Grant deserves the continued hearty gratitude of the American people for his patriotism and his eminent services in war and in peace.

18. We present, as our candidates for President and Vice-President of the United States, two distinguished statesmen, of eminent ability and character, and conspicuously fitted for those high offices, and we confidently appeal to the American people to entrust the administration of their public affairs to Rutherford B. Hayes and William A. Wheeler.

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#### 1876.—DEMOCRATIC PLATFORM,

*St. Louis, Mo., June 27.*

We, the delegates of the democratic party of the United States, in national convention assembled, do hereby declare the administration of the federal government to be in urgent need of immediate reform; do hereby enjoin upon the nominees of this convention, and of the democratic party in each state, a zealous effort and co-operation to this end; and do hereby appeal to our fellow-citizens of every former political connection to undertake, with us, this first and most pressing patriotic duty.

For the democracy of the whole country, we do here reaffirm our faith in the permanence of the federal Union, our devotion to the constitution of the United States, with its amendments universally accepted as a final settlement of the controversies that engendered civil war, and do here record our steadfast confidence in the perpetuity of republican self-government.

In absolute acquiescence in the will of the majority—the vital principle of republics; in the supremacy of the civil over the military authority; in the total separation of church and state, for the sake alike of civil and religious freedom; in the equality of all citizens before just laws of their own enactment; in the liberty of individual conduct, unvexed by sumptu-

ary laws; in the faithful education of the rising generation, that they may preserve, enjoy, and transmit these best conditions of human happiness and hope—we behold the noblest products of a hundred years of changeful history; but while upholding the bond of our Union and great charter of these our rights, it behooves a free people to practice also that eternal vigilance which is the price of liberty.

Reform is necessary to rebuild and establish in the hearts of the whole people the Union, eleven years ago happily rescued from the danger of a secession of states, but now to be saved from a corrupt centralism which, after inflicting upon ten states the rapacity of carpet-bag tyranny, has honey-combed the offices of the federal government itself with incapacity, waste, and fraud; infected states and municipalities with the contagion of misrule; and locked fast the prosperity of an industrious people in the paralysis of "hard times."

Reform is necessary to establish a sound currency, restore the public credit, and maintain the national honor.

We denounce the failure, for all these eleven years of peace, to make good the promise of the legal-tender notes, which are a changing standard of value in the hands of the people, and the non-payment of which is a disregard of the plighted faith of the nation.

We denounce the improvidence which, in eleven years of peace, has taken from the people, in federal taxes, thirteen times the whole amount of the legal-tender notes, and squandered four times their sum in useless expense without accumulating any reserve for their redemption.

We denounce the financial imbecility and immorality of that party which, during eleven years of peace, has made no advance toward resumption, no preparation for resumption, but, instead, has obstructed resumption, by wasting our resources and exhausting all our surplus income; and, while annually professing to intend a speedy return to specie payments, has annually enacted fresh hindrances thereto. As such hindrance we denounce the resumption clause of 1875, and we here demand its repeal.

We demand a judicious system of preparation, by public economies, by official retrenchments, and by wise finance, which shall enable the nation soon to assure the whole world of its perfect ability and of its perfect readiness to meet any of its promises at the call of the creditor entitled to payment. We believe such a system, well devised, and, above all, intrusted to competent hands for execution, creating, at no time, an artificial scarcity of currency, and at no time alarming the public mind into a withdrawal of that vaster machinery of credit by which ninety-five per cent. of all business transactions are performed. A system open, public, and inspiring general confidence, would, from the day of its adoption, bring healing on its wings to all our harassed industries—set in motion the wheels

of commerce, manufactures, and the mechanic arts—restore employment to labor—and renew, in all its natural sources, the prosperity of the people.

Reform is necessary in the sum and modes of federal taxation, to the end that capital may be set free from distrust and labor lightly burdened.

We denounce the present tariff, levied upon nearly four thousand articles, as a masterpiece of injustice, inequality, and false pretense. It yields a dwindling, not a yearly rising, revenue. It has impoverished many industries to subsidize a few. It prohibits imports that might purchase the products of American labor. It has degraded American commerce from the first to an inferior rank on the high seas. It has cut down the sales of American manufactures at home and abroad, and depleted the returns of American agriculture—an industry followed by half our people. It costs the people five times more than it produces to the treasury, obstructs the processes of production, and wastes the fruits of labor. It promotes fraud, fosters smuggling, enriches dishonest officials, and bankrupts honest merchants. We demand that all custom-house taxation shall be only for revenue.

Reform is necessary in the scale of public expense—federal, state, and municipal. Our federal taxation has swollen from sixty millions gold, in 1860, to four hundred and fifty millions currency, in 1870; our aggregate taxation from one hundred and fifty-four millions gold, in 1860, to seven hundred and thirty millions currency, in 1870—or, in one decade, from less than five dollars per head to more than eighteen dollars per head. Since the peace, the people have paid to their tax-gatherers more than thrice the sum of the national debt, and more than twice that sum for the federal government alone. We demand a rigorous frugality in every department and from every officer of the government.

Reform is necessary to put a stop to the profligate waste of public lands, and their diversion from actual settlers, by the party in power, which has squandered 200,000,000 of acres upon railroads alone, and, out of more than thrice that aggregate, has disposed of less than a sixth directly to tillers of the soil.

Reform is necessary to correct the omission of a republican Congress, and the errors of our treaties and our diplomacy which have stripped our fellow-citizens of foreign birth and kindred race, recrossing the Atlantic, of the shield of American citizenship, and have exposed our brethren on the Pacific coast to the incursions of a race not sprung from the same great parent stock, and in fact now, by law, denied citizenship through naturalization, as being neither accustomed to the traditions of a progressive civilization nor exercised in liberty under equal laws. We denounce the policy which thus discards the liberty-loving German and tolerates a revival of the coolie trade in Mongolian women, imported for immoral pur-

poses, and Mongolian men, held to perform servile labor contracts, and demand such modification of the treaty with the Chinese empire, or such legislation within constitutional limitations, as shall prevent further importation or immigration of the Mongolian race.

Reform is necessary, and can never be effected but by making it the controlling issue of the elections, and lifting it above the two false issues with which the office-holding class and the party in power seek to smother it:

1. The false issue with which they would enkindle sectarian strife in respect to the public schools, of which the establishment and support belongs exclusively to the several states, and which the democratic party has cherished from their foundation, and is resolved to maintain, without prejudice or preference for any class, sect, or creed, and without largesses from the treasury to any.

2. The false issue by which they seek to light anew the dying embers of sectional hate between kindred peoples once estranged, but now reunited in one indivisible republic and a common destiny.

Reform is necessary in the civil service. Experience proves that efficient, economical conduct of the governmental business is not possible if its civil service be subject to change at every election, be a prize fought for at the ballot-box, be a brief reward of party zeal, instead of posts of honor assigned for proved competency, and held for fidelity in the public employ; that the dispensing of patronage should neither be a tax upon the time of all our public men, nor the instrument of their ambition. Here, again, promises, falsified in the performance, attest that the party in power can work out no practical or salutary reform.

Reform is necessary, even more, in the higher grades of the public service. President, Vice-President, judges, senators, representatives, cabinet officers—these, and all others in authority—are the people's servants. Their offices are not a private perquisite; they are a public trust. When the annals of this republic show the disgrace and censure of a Vice-President; a late speaker of the House of Representatives marketing his rulings as a presiding officer; three senators profiting secretly by their votes as law-makers; five chairmen of the leading committees of the late House of Representatives exposed in jobbery; a late secretary of the treasury forcing balances in the public accounts; a late attorney-general misappropriating public funds; a secretary of the navy enriched, or enriching friends, by percentages levied off the profits of contractors with his department; an ambassador to England concerned in a dishonorable speculation; the President's private secretary barely escaping conviction upon trial for guilty complicity in frauds upon the revenue; a secretary of war impeached for high crimes and misdemeanors—the demonstration is complete, that the first step in reform must be the people's choice of honest

men from another party, lest the disease of one political organization infect the body politic, and lest by making no change of men or parties we get no change of measures and no real reform.

All these abuses, wrongs, and crimes—the product of sixteen years' ascendancy of the republican party—create a necessity for reform, confessed by the republicans themselves; but their reformers are voted down in convention and displaced from the cabinet. The party's mass of honest voters is powerless to resist the eighty thousand office-holders, its leaders and guides.

Reform can only be had by a peaceful civic revolution. We demand a change of system, a change of administration, a change of parties, that we may have a change of measures and of men.

*Resolved*, That this convention, representing the democratic party of the United States, do cordially indorse the action of the present House of Representatives, in reducing and curtailing the expenses of the federal government, in cutting down salaries and extravagant appropriations, and in abolishing useless offices and places not required by the public necessities; and we shall trust to the firmness of the democratic members of the House that no committee of conference and no misinterpretation of the rules will be allowed to defeat these wholesome measures of economy demanded by the country.

*Resolved*, That the soldiers and sailors of the republic, and the widows and orphans of those who have fallen in battle, have a just claim upon the care, protection, and gratitude of their fellow-citizens.

## CHAPTER XXI.

## HAYES'S ADMINISTRATION.

1877—1881.

## THE PRESIDENT'S CONCILIATORY POLICY.

The inaugural address of President Hayes indicated his desire for a more cordial union and a better state of feeling among the sections of the country. He had foreshadowed his views on reconciliation in his letter accepting the nomination. The most prominent feature of the opening of the administration was the President's disposition to conciliate the disaffected feeling in the south, and accomplish by mild means what force and coercive legislation had failed to do. He selected as postmaster-general a former confederate officer, David M. Key, of Tennessee, and made Carl Schurz, a leader of the liberal republicans in 1872, secretary of the interior. Very early in his administration he removed the government troops from Louisiana and the other states, and left those commonwealths to govern themselves without federal interference. He made a tour of the southern states soon afterwards, during which he made several conciliatory speeches, calling those who had engaged in the rebellion "gallant soldiers" and "brothers." The speeches attracted much attention, but they did not accomplish the results that many had reason to expect. The hostility of the democratic party to the count of the electoral commission was not allayed, and the feeling in the south was not restored to a condition much more desirable to the republicans than that which it had been during the exciting days of the electoral count. But the democracy of the south, under the leadership of men like

Hill, Gordon, and Stephens, declaring that there had been enough of civil war, showed an earnest desire for a peaceful settlement sooner than the democrats of the border and northern states. The early conservative policy of Mr. Hayes did not extend throughout his administration. In his message to Congress, December, 1878, he recommended measures which showed that his mind had undergone a change on the question of conciliation.

#### THE STALWARTS.

The moderation of Mr. Hayes's administration prevented him at first from receiving the cordial support of the republicans and from meeting the solid opposition of the democrats. His early withdrawal of the federal troops from the south, at the suggestion of the "visiting statesmen," and the consequent overthrow of the Packard, or republican, government in Louisiana, increased the opposition of many radical republicans, who accused the President of "slopping over." Those republicans who believed the executive had carried reconciliation too far, called themselves "stalwarts." The supporters of the administration constituted one wing of the republican party, and the "stalwarts" the other. Conspicuous among the opponents of the President's conciliatory policy were Senators Conkling, Logan, and the younger Cameron. These leaders, because of the conservative tendencies of the administration, formed the design of bringing General Grant again to the presidency. This purpose was followed till its defeat at the Chicago convention, in 1880.

#### CIVIL SERVICE REFORM.

An attempt was early made to revive and extend some of the regulations of the civil service reform, partially established in the previous administration. Several orders were issued, and strict obedience claimed, and, by them, considerable flut-

tering among office-holders was caused; but they were, after a time, construed into nothing of any force, and were gradually relaxed, if not abandoned.

Congress met in extra session, October 15, 1877, in pursu-  
**Forty-fifth Congress,** }  
**Extra Session.** }  
 ance of a proclamation of the President, issued on the 5th of the preceding May. The forty-fourth Congress had adjourned without making the usual appropriations for the support of the army for the fiscal year ending June 30, 1878. With the object of urging these appropriations, the extra session was called. Bills and resolutions were offered in each house, but no important public act was passed, each measure of national interest being continued into the regular session. Congress adjourned December 3, 1877.

Congress met December 3, 1877, the day on which the  
**Forty-fifth Congress,** }  
**First Session.** }  
 extra session closed. The republicans had a majority in the Senate, and the democrats in the House. Information had reached the President that "rifle clubs," an advance on the "white league" and the "ku-klux," were intimidating negro voters in the south. He made this subject a leading feature of his message to Congress, and took a position thereon that showed an abandonment of his earlier policy. The change in his attitude on this and succeeding occasions brought together the fast separating wings of the republican party.

#### SILVER REMONETIZATION.

Mr. Bland, in the House, November 5, introduced a bill for the free coinage of the standard silver dollar, and to restore its legal-tender character. It was passed by both houses, after being amended so as to invite European nations in a conference to adopt a common ratio of legal-tender as between gold and silver, for the purpose of establishing internationally the use of bi-metallic money. The bill was



vetoed by the President, February 28, 1878, but was passed over his objections by the requisite two-thirds vote of Congress.

#### PROPOSED REPEAL OF THE RESUMPTION ACT.

At the extra session, Mr. Ewing, of Ohio, October 31, reported in the House, from the committee on banking and currency, a bill to repeal the third section of the act to provide for the resumption of specie payment. The discussion of the bill commenced on the 6th of November, and continued at intervals into the regular session. It passed the House, but did not meet with a favorable reception in the Senate.

#### RETIREMENT OF LEGAL TENDERS FORBIDDEN.

In the House, on the 29th of April, Mr. Fost, of Illinois, moved to suspend the rules and pass a bill to forbid the further retirement of the United States legal tender notes. It provides that from and after the passage of the act "it shall not be lawful for the secretary of the treasury, or other officers under him, to cancel or retire any more of the United States legal tender notes, and when any of said notes may be redeemed or received into the treasury under any law from any source whatever, and shall belong to the United States, they shall not be retired, canceled, or destroyed, but they shall be re-issued and paid out again and kept in circulation, provided that nothing therein shall prohibit the cancellation and destruction of mutilated notes and the issue of other notes of like denominations in their stead, as now provided by law, and that all acts and parts of acts in conflict with the act are hereby repealed." The bill passed both branches of Congress by handsome majorities, the vote in the Senate being taken on the 28th of May.

#### THE POTTER RESOLUTION.

Mr. Potter, of New York, brought before the House, May

13, a "resolution for the investigation of alleged fraud in the late presidential election in the states of Louisiana and Florida." The title of Mr. Hayes to the position of President was to be the leading object of the investigation, and for this reason the republicans resisted the passage of the resolution through filibustering many days. After a long delay through want of a quorum, the main question was ordered on the 17th day of May, and the resolution was adopted, the republicans withholding their votes.

#### THE CIPHER DISPATCHES.

The republicans endeavored to amend the Potter resolution by requiring the select committee to inquire fully into all the facts connected with the election in the state of Florida, in November, 1876, and especially into the circumstances attending the transmission and receiving of certain telegraphic dispatches sent in that year between Tallahassee and New York City. These communications were the cipher dispatches made known to the public by the *New York Tribune*. The amendment contained the dispatches, of which the following are specimens:

PORTLAND, November 28, 1876.

To W. T. Pelton, No. 15 Gramercy Park, New York:

By vizier association innocuous negligence cunning minutely previously readmit doltish to purchase afar act with cunning afar sachristy unweighed afar pointer tigress cattle superannuated syllabus dilatoriness misapprehension contraband kountz bisulcuous top usher spiniferous answer.

I fully endorse this.

J. H. N. PATRICK.  
JAMES K. KELLY.

Of which, when the key was discovered, the following was found to be the true intent and meaning:

PORTLAND, November 28, 1876.

To W. T. Pelton, No. 15 Gramercy Park, New York:

Certificate will be issued to one democrat. Must purchase a republican elector to recognize and act with democrats and secure the vote and prevent trouble. Deposit \$10,000 to my credit with Kountz Brothers, Wall street. Answer.

I fully endorse this.

J. H. N. PATRICK.  
JAMES K. KELLY.

Also the following:

NEW YORK, November 25, 1876.

*A. Bush, Salem:*

Use all means to prevent certificate. Very important.

C. E. TILTON.

Also the following:

DECEMBER 1, 1876.

*To Hon. Sam. J. Tilden, No. 15 Gramercy Park, New York:*

I shall decide every point in the case of postoffice elector in favor of the highest democratic elector, and grant certificate accordingly, on morning of the 6th instant. Confidential.

GOVERNOR.

The amendment was defeated by the democrats. Though the dispatches were traced to Gramercy Park, Mr. Tilden denied having any knowledge of them.

#### THE TITLE OF PRESIDENT HAYES.

On all important votes considered by the electoral commission, there was the uniform vote 8 to 7. This showed a partisan spirit, the existence of which it was difficult to deny, and in connection with the action of the "visiting statesmen," who practically overthrew the republican government in Louisiana, but gave the state to Hayes, created a feeling of distrust and dissatisfaction that found expression in all parts of the country, and instituted in Congress investigations to inquire into the title of President Hayes. On the 14th of June, Mr. Hartridge, of Georgia, said: "Some time since, the House referred to the committee on the judiciary a bill introduced by the gentleman from Maryland (Mr. Kimmel), numbered 4315, to provide a mode for trying and determining by the Supreme Court of the United States, the title of the President and Vice-President of the United States to their respective offices when their election to such offices is denied by one or more states of the Union. On the same day the House referred to the same committee a resolution of the legislature of the state of Maryland, instructing its attorney-general, as soon as Congress had passed a law like that

offered by the gentleman from Maryland, to cause proceedings to be taken to test the validity and legality of the title of the present incumbents to the offices of the President and Vice-President. The committee on the judiciary have considered those measures, considered them together, both the bill and the resolution, and the committee have instructed me to make a report to this House, and accompanying that report a resolution." These were then read by the clerk, and constituted the

#### REPORT OF THE HOUSE JUDICIARY COMMITTEE.

"The committee on the judiciary, to whom were referred the bill (H. R. No. 4315) and the resolutions of the legislature of the state of Maryland directing judicial proceedings to give effect to the electoral vote of that state in the last election of President and Vice-President of the United States, report back said bill and resolutions, with a recommendation that the bill do not pass.

"Your committee are of the opinion that Congress has no power, under the constitution, to confer upon the Supreme Court of the United States the original jurisdiction sought for it by this bill. The only clause of the constitution which could be plausibly invoked to enable Congress to provide the legal machinery for the litigation proposed, is that which gives the Supreme Court original jurisdiction is 'cases' or 'controversies' between a state and the citizens of another state. The committee are of the opinion that this expression 'cases' and 'controversies' was not intended by the framers of the constitution to embrace an original proceeding by a state in the Supreme Court of the United States to oust any incumbent from a political office filled by the declaration and decision of the two houses of Congress clothed with the constitutional power to count the electoral votes and decide as a final tribunal upon the election for President and Vice-Pres-

ident. The Forty-fourth Congress selected a commission to count the votes for President and Vice-President, reserving to itself the right to ratify or reject such count, in the way prescribed in the act creating such commission. By the joint action of the two houses it ratified the count made by the commission, and thus made it the expression of its own judgment."

This report was agreed to by a vote of 235 to 14, and finally settled the question of the title of Mr. Hayes to the office of President.

A bill making appropriations for the support of the army for the fiscal year ending June 30, 1879, received consideration this session. The two houses disagreeing, a conference committee was appointed to effect a compromise. After adjusting the points of difference a report was made, in which both the Senate and House concurred. Bills were introduced providing a "reissue of fractional currency;" "greenbacks for customs duties," and "suspension of payments to the sinking fund," but they failed in both branches. Congress adjourned June 20, 1878.

Congress met December 2, 1878, the Vice-President, **Forty-fifth Congress,** } William A. Wheeler, presiding in the  
Second Session. } Senate, and Samuel J. Randall in the  
House. The latter body was democratic, while the other was still republican. At the opening of the session there was some discussion on a resolution offered by Mr. Blaine, in relation to the violation of the rights of American citizens "at the recent elections." This was followed by the consideration of a bill from the judiciary committee to regulate the counting of the votes for President and Vice-President. It contained twelve sections, and was especially advocated by Mr. Edmunds, of Vermont. It passed the Senate without creating much excitement, but no decisive action was taken on the bill in the House of Representatives.

## RESTRICTING CHINESE IMMIGRATION.

A bill to restrict the immigration of Chinese to the United States was agitated during January and February. Mr. Page, of California, submitted in the House a memorial, signed by 17,000 of the workingmen of his state, and petitioning that Congress give support to the measure. The bill passed both branches, but was vetoed by the President on the 1st of March, and not securing the constitutional majority in Congress it failed to become a law.

## APPROPRIATIONS.

In the House, February 26, the bill making appropriations for the legislative, executive, and judicial departments of the government was considered in committee of the whole. The question that elicited warm political discussion was the amendment offered by Mr. Southard, of Ohio, as follows:

"That the several sections of the revised statutes of the United States, from and including section 2011 to and including 2031, and all other provisions of law authorizing the appointment of or the performance of any duty by any chief or other supervisor of elections, or any special deputy marshal of elections, or the payment of any money to any such supervisor or deputy marshal of elections, for any services performed as such, be, and the same are hereby repealed."

Mr. Hayes, of Illinois, while discussing the amendment, said that he hoped to see it voted down by an overwhelming majority, because he thought it bad policy to legislate in regard to general matters in an appropriation bill, and because he heartily approved those portions of our law which the amendment proposed to repeal. This measure absorbed the attention of Congress till the close of the session, the democrats ardently favoring the idea involved in the amendment,

and the republicans opposing it with firmness and tenacity. Congress adjourned March 4, 1879.

Congress met March 18, 1879, in compliance with the  
**Forty-sixth Congress,** } proclamation of the President, issued  
**Extra Session.** } March 4, as follows :

“ WHEREAS, The final adjournment of the Forty-fifth Congress without making the usual and necessary appropriations for the legislative, executive, and judicial expenses of the government for the fiscal year ending June 30, 1880, and without making the usual and necessary appropriations for the support of the army for the same fiscal year, presents an extraordinary occasion, requiring the President to exercise the power vested in him by the constitution to convene the houses of Congress in anticipation of the day fixed by the law for their next meeting :

Now, therefore, I, Rutherford B. Hayes, President of the United States, do, by virtue of the power to this end in me vested by the constitution, convene both houses of Congress to assemble at their respective chambers at 12 o'clock noon, Tuesday, the 18th of March instant, then and there to consider and determine such measures as in their wisdom, their duty, and the welfare of the people may seem to demand.”

Both branches were democratic for the first time since the last Congress chosen in Buchanan's administration. In the Senate there were forty-two democrats, thirty-three republicans, and one independent. In the House there were 149 democrats, 130 republicans, and fourteen “nationals.”

#### THE ARMY APPROPRIATION BILL.

In his message the President urged the legislation for which the session was called. Accordingly, March 27, a bill making appropriations for the support of the army for the fiscal year ending June 30, 1880, and for other purposes, was introduced. On this bill riders were added by the democrats, for the purpose of destroying federal supervision at the elec-

tions. This proposed act and other similar measures were urged by the democrats in highly exciting discussions, and resisted by the republicans with such earnestness as to cement the factions and cause all to act in harmony with the administration. The "nationals" were not so "solid" on the question, some of them voting with the democrats and others with the republicans.

The bitter partisan character of the debates on this and similar measures can be learned by the following from Mr. Garfield, spoken in the House, March 29, 1879:

"The last act of democratic domination in this capitol, eighteen years ago, was striking and dramatic, perhaps heroic. Then the democratic party said to the republicans, 'If you elect the man of your choice as President of the United States we will shoot your government to death;' and the people of this country, refusing to be coerced by threats or violence, voted as they pleased, and lawfully elected Abraham Lincoln President of the United States.

"Then your leaders, though holding a majority in the other branch of Congress, were heroic enough to withdraw from their seats and fling down the gage of mortal battle. We called it rebellion; but we recognized it as courageous and manly to avow your purpose, take all the risks, and fight it out on the open field. Notwithstanding your utmost efforts to destroy it, the government was saved. Year by year since the war ended, those who resisted you have come to believe that you have finally renounced your purpose to destroy, and are willing to maintain the government. In that belief you have been permitted to return to power in the two Houses.

"To-day, after eighteen years of defeat, the book of your domination is again opened, and your first act awakens every unhappy memory and threatens to destroy the confidence which your professions of patriotism inspired. You turned down a leaf of the history that recorded your last act of power in 1861, and you have now signalized your return to power by beginning a second chapter at the same page; not this time by a heroic act that declares war on the battle-field, but you



say if all the legislative powers of the government do not consent to let you tear certain laws out of the statute-book, you will shoot our government to death as you tried to do in the first chapter ; but you declare that if we do not consent against our will, if you can not coerce an independent branch of this government against its will, to allow you to tear from the statute-books some laws put there by the will of the people, you will starve the government to death. [Great applause on the republican side.]

"Between death on the field and death by starvation, I do not know that the American people will see any great difference. The end, if successfully reached, would be death in either case. Gentlemen, you have it in your power to kill this government ; you have it in your power, by withholding these two bills, to smite the nerve-centers of our constitution with the paralysis of death ; and you have declared your purpose to do this, if you can not break down that fundamental element of free consent which up to this hour has always ruled in the legislation of this government."

The democratic view of the same question was ably given by Representative Tucker, of Virginia, April 3 :

"I tell you, gentlemen of the House of Representatives, *the army dies on the 30th day of June, unless we resuscitate it by legislation.* And what is the question here on this bill ? Will you resuscitate the army after the 30th of June, with the power to use it as keepers of the polls ? That is the question. It is not a question of repeal. It is a question of re-enactment. If you do not appropriate this money, there will be no army after the 30th of June to be used at the polls. The only way to secure an army at the polls is to appropriate the money. *Will you appropriate the money for the army in order that they may be used at the polls ? We say no, a thousand times no.* \* \* \* The gentlemen on the other side say there must be no coercion. Of whom ? Of the President ? But what right has the President to coerce us ? There may be coercion one way or the other. He demands an unconditional supply. *We say we will give him no supply but upon conditions.* \* \* \* When, therefore, vicious laws have fastened themselves upon the statute-book which imperil the

liberty of the people, this House is bound to say it will appropriate no money to give effect to such laws until and except upon condition that they are repealed. \* \* We will give him the army on a single condition that it shall never be used or be present at the polls when an election is held for members of this House, or in any Presidential election, or in any state or municipal election. \* \* \* Clothed thus with unquestioned power, bound by clear duty, to expunge these vicious laws from the statute-book, following a constitutional method sanctioned by venerable precedents in English history, we feel that we have the undoubted right, and are beyond cavil in the right, in declaring that with our grant of supply there must be a cessation of these grievances, and we make these appropriations conditioned on securing a free ballot and fair juries for our citizens."

After a month's consideration, the bill having passed both branches, was vetoed by the Executive on the 30th of April, and lacking the necessary two-thirds majority in its favor, the measure failed to become a law. Other appropriation bills, to which political riders were added, suffered the same fate.

On the 6th of June, another bill, making appropriations for the army, and omitting the objectionable feature of the previous bills, passed both houses, and met with the approval of President Hayes.

Efforts were made to pass a bill prohibiting military interference at elections, but the President interposed his veto, and the measure ceased to receive consideration. Congress adjourned July 1, 1879.

#### POLITICAL EFFECTS OF THE EXTRA SESSION.

At the close of the session the republicans were more firmly united than at the beginning of the administration. The political "riders," which the democrats attempted to pass, and their attitude during the discussions, awakened all the partisan animosities which the administration up to that

time had allayed. The veto messages of the Executive plainly manifested the spirit of his party, and indicated that he had been influenced by the political strife. The union was a disadvantage to the democrats, for, to a certain extent, they had abandoned their position regarding appropriations, and the "temporary demoralization which followed bridged over the questions pertaining to the title of President Hayes, overshadowed the claims of Tilden, and caused the north to look again with grave concern on the establishment of democratic power." The rapidity with which the republicans regained control of the House, is attributed by many to the work of the extra session.

#### RESUMPTION.

On the 1st of January, 1879, specie payments were resumed, after about eighteen years of suspension. The certainty that resumption would take place at the appointed time, without any difficulty or derangement of business, set it in operation, practically, some months before the time. The premium on gold was very small, and many private business houses were paying specie when desired. All apprehensions and prophecies of evil proved chimerical.

#### THE NEGRO EXODUS.

During the summer of 1879 there was a great exodus of negroes from the south to the states of the northwest. This excited political comment, the democrats ascribing the exodus to railroad agents, and the republicans to ill-treatment. The negroes were received kindly in Kansas and Indiana, but the tardy manifestations of hospitality in other states soon caused the exodus to cease for a time. It was resumed in South Carolina in the winter of 1881-2 by an attempt of the colored people to reach Arkansas, but this action was not viewed as a matter of political significance.

## TAMMANY AND THE INDEPENDENT REPUBLICANS.

There were threatening divisions in both parties at the New York election of 1879. The Tammany society of New York City, which had long led the democracy of the city, except for a few years after the exposure of Tweed's peculations, opposed Mr. Robinson, the democratic nominee for governor, and thus defeated him. A large number of republicans were opposed to Senator Conkling's control of the party in that state, and refused to support the nominee for governor whom he favored, Mr. Cornell, and very nearly defeated him in spite of the help of Tammany. These were independent republicans, called, by the regulars, "scratchers."

Congress met December 1, 1879, the democrats having a Forty-sixth Congress, } majority in both branches. The President favored the retirement of the legal tenders, and advised against additional legislation in reference to coinage.

## ARMY AT THE POLLS.

The passage of the bill to prevent the use of the army at the polls was the most important political action during this session. It was a democratic measure, but after the addition of the Garfield proviso the bill was free from material partisan objections and secured the support of the republicans. The proviso stipulated that the law should not be construed to prevent the constitutional use of the army to suppress domestic violence in a state.

To the deficiency and appropriation bills the "political riders" were again added, but they were met, as on former occasions, by the objections of the President, and failed, without modification, to become laws.

The Supreme Court, having decided that the general elec-

tion law was constitutional, the democratic opposition to it was somewhat modified. Congress adjourned June 16, 1880.

#### REPUBLICAN NATIONAL CONVENTION.

On the 2d of June, 1880, the republican national convention met at Chicago. The prominent candidates before the convention were Grant, Blaine, Sherman, Edmunds, Washburne, Windom, and Garfield. Excitement ran high, owing to the candidacy of General Grant, for what was popularly called a "third term," though not regarded by his supporters as improper, because it was not a third consecutive term. The General was supported by Conkling, of New York; Cameron, of Pennsylvania; and Logan, of Illinois, who had secured for him, in the face of bitter protests, the instructions of their respective state conventions; but in the delegations of these states there was a large minority opposed to the nomination of the General, and these could not be controlled, save by the enforcement of the unit rule. For this the General's three principal senatorial friends contended with all their influence. The president of the convention, however, decided against its enforcement, and the delegates were free to represent the opinions of their districts, irrespective of the instructions of state conventions. On the thirty-sixth ballot, General James A. Garfield, of Ohio, was nominated, as the result of a sudden union of the forces of Blaine and Sherman. The object was to defeat the nomination of Grant. General Chester A. Arthur, of New York, was selected for Vice-President, with the view of carrying New York, since that state was regarded as holding the key to the presidential position. The convention is regarded as overthrowing the attempts at changing the traditional policy of the country, which prohibits one man from serving as President more than two terms.

**THE NATIONAL (GREENBACK) LABOR CONVENTION.**

The national convention of the national party met at Chicago, June 9, 1880, and selected as candidates for the two highest executive offices, James B. Weaver, of Iowa, and Benjamin Chambers, of Texas. This ticket was acquiesced in by most of the element that constituted the labor reform party.

**PROHIBITION NATIONAL CONVENTION.**

The prohibitionists held their national convention at Cleveland, Ohio, June 17, and nominated by acclamation Neal Dow, of Maine, for the position of President, and A. H. Thomson, of Ohio, for that of Vice-President.

**DEMOCRATIC NATIONAL CONVENTION.**

On the 22d of June the national convention of the democratic party met at Cincinnati, Ohio. Prominent among the candidates were Hancock, Bayard, Payne, Thurman, Field, Morrison, Hendricks, Tilden, Ewing, Seymour, Randall, Loveland, McDonald, and McClellan. John Kelley, the Tammany leader of New York, was at the convention to oppose Tilden, but the latter sent a letter declining the nomination, and Mr. Kelley acquiesced in the choice of his party. On the first ballot votes were cast for nineteen candidates, but on the second the competitors were reduced to four, Hancock, Tilden, Bayard, and Hendricks. Of the 738 votes for these, Hancock received 705, and was declared the nominee for President. William H. English, of Indiana, was nominated for Vice-President.

**PRESIDENTIAL ELECTION OF 1880.**

The canvass following the nominations of 1880 brought before the people the leading men of all the parties. The democrats were aided by Randall, Bayard, Voorhees, Wallace,

Hill, Hampton, Lamar, and hosts of their best public speakers. Among the republican orators were Blaine, Logan, Conkling, Grant, Boutwell, and the Camerons. Since Maine, in September, went democratic by a small majority, strenuous efforts were made to counteract its influence in the October states of Ohio and Indiana. During the first weeks of the canvass much was done towards defaming the candidates; but after a time this partially subsided, and the republicans of the west, for the first time in their history, accepted the tariff issue, and made the plank in the democratic platform—"a tariff for revenue only"—the chief point of attack in their political warfare. The republican success in Ohio and Indiana did not discourage the democrats; on the contrary, their victory in West Virginia, and the popularity of their leading candidate, influenced them to persist to the end with high hopes of success. In November, California, Nevada, New Jersey, and all the southern states went democratic, while the remaining states were republican. The republican popular vote was 4,442,950; the democratic, 4,442,635; national, 306,867; scattering, 12,576. The elections for Congress, in the same canvass, gave the republicans 147 members; the democrats, 136; nationals, 9; independents, 1. Governors of fifteen states were elected; seven were republican, and eight democratic.

Congress met December 6, 1880, the Senate and House **Forty-sixth Congress,** } being democratic. Among the bills **Second Session.** } considered this term and not disposed of were the funding bill; the electoral count joint rule; the Chinese indemnity bill; the Irish relief bill; bills to restrict Chinese immigration, to regulate the pay and number of supervisors of elections and special deputy-marshals, to amend the constitution as to the election of President, to abrogate the Clayton-Bulwer treaty, to prohibit military interference at elections, to define the terms of office of the

chief supervisors of elections, to appoint a tariff commission, the political assessment bill, the Fitz-John Porter bill, and the Kellogg-Spofford case.

In the Senate, a committee of five was appointed, of which Mr. Voorhees was chairman, to investigate the causes of the negro exodus from the south. It ascertained that in some cases the causes were political, and in others pecuniary.

A three per cent. funding bill was vetoed by the President on the 3d of March, 1881, on the ground "that it was unjust to the national banks in compelling them to accept and employ this security for their circulation in lieu of the old bonds. The republicans opposed the measure, but advocated a 3½ per cent. funding bill. After the veto the democrats consented to the 3½ per cent., and a bill funding at that rate was passed. The republican view was a mistake, as was afterwards shown by the ease with which the loan was floated.

The electoral votes were counted by the Vice-President in the presence of both Houses, on the 9th of February, 1881, and were found to be 214 for Garfield and Arthur, and 155 for Hancock and English. Garfield and Arthur were, accordingly, declared elected President and Vice-President of the United States. The count occasioned no agitation that could be called a political trouble. Congress adjourned March 4, and on the same day Garfield and Arthur took the oath of office.

The conservatism of Hayes's administration was an advantage to the country. During his term there was a growing of independent sentiment among the republicans that gained strength each year. The administration had the effect of softening party asperities, and did much to restore a better political feeling between the north and the south.



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## EXECUTIVE OFFICERS OF HAYES'S ADMINISTRATION.

Rutherford B. Hayes .....	President .....	1877-1881
William A. Wheeler.....	Vice-President.....	1877-1881

## CABINET.

William M. Evarts .....	Secretary of State.....	1877-1881
John Sherman.....	Secretary of Treasury.....	1877-1881
George W. McCrary.....	Secretary of War.....	1877-1879
Alexander Ramsey.....	“ “ .....	1879-1881
Richard W. Thompson.....	Secretary of Navy.....	1877-1881
Nathan Goff, jr.....	“ “ .....	1881-1881
Carl Schurz.....	Secretary of Interior.....	1877-1881
David McK. Key.....	Postmaster-General .....	1877-1880
Horace Maynard.. ..	“ “ .....	1880-1881
Charles Devens.....	Attorney-General.....	1877-1881

## JUDICIAL OFFICERS.

Morrison R. Waite.....	Chief Justice.....	1874——
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## LEGISLATIVE OFFICERS.

Samuel J. Randall.....	Speaker of the House.....	1877-1881
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## 1878.—NATIONAL PLATFORM,

*Toledo, Ohio, February 22.*

WHEREAS, Throughout our entire country the value of real estate is depreciated, industry paralyzed, trade depressed, business incomes and wages reduced, unparalleled distress inflicted upon the poorer and middle ranks of our people, the land filled with fraud, embezzlement, bankruptcy, crime, suffering, pauperism, and starvation; and

WHEREAS, This state of things has been brought about by legislation in the interest of, and dictated by, money-lenders, bankers, and bondholders; and,

WHEREAS, While we recognize the fact that the men in Congress connected with the old political parties have stood up manfully for the rights of the people, and met the threats of the money power, and the ridicule of an ignorant and subsidized press, yet neither the republican nor the democratic party, in their policies, propose remedies for the existing evils; and

WHEREAS, The independent greenback party, and other associations, more or less effective, have been unable, hitherto, to make a formidable opposition to old party organizations; and

WHEREAS, The limiting of the legal-tender quality of the greenbacks, the changing of currency bonds into coin bonds, the demonetization of the silver dollar, the exempting of bonds from taxation, the contraction of the circulating medium, the proposed forced resumption of specie payments, and the prodigal waste of the public lands, were crimes against the people; and, as far as possible, the results of these criminal acts must be counteracted by judicious legislation: therefore,

We assemble in national convention and make a declaration of our principles, and invite all patriotic citizens to unite in an effort to secure financial reform and industrial emancipation. The organization shall be known as the "national party," and under this name we will perfect, without delay, national, state, and local associations, to secure the election to office of such men only as will pledge themselves to do all in their power to establish these principles:

1. It is the exclusive function of the general government to coin and create money and regulate its value. All bank issues designed to circulate as money should be suppressed. The circulating medium, whether of metal or paper, shall be issued by the government, and made a full legal-tender for all debts, duties, and taxes in the United States, at its stamped value.

2. There shall be no privileged class of creditors. Official salaries, pensions, bonds, and all other debts and obligations, public and private, shall be discharged in the legal-tender money of the United States, strictly according to the stipulations of the laws under which they were contracted.

3. The coinage of silver shall be placed on the same footing as that of gold.

4. Congress shall provide said money adequate to the full employment of labor, the equitable distribution of its products, and the requirements of business, fixing a minimum amount *per capita* of the population, as near as may be, and otherwise regulating its value by wise and equitable pro-

visions of law, so that the rate of interest will secure to labor its just reward.

5. It is inconsistent with the genius of popular government that any species of private property should be exempt from bearing its proper share of the public burdens. Government bonds and money should be taxed precisely as other property, and a graduated income tax should be levied for the support of the government and the payment of its debts.

6. Public lands are the common property of the whole people, and should not be sold to speculators nor granted to railroads or other corporations, but should be donated to actual settlers, in limited quantities.

7. The government should, by general enactments, encourage the development of our agricultural, mineral, mechanical, manufacturing, and commercial resources, to the end that labor may be fully and profitably employed; but no monopolies should be legalized.

8. All useless offices should be abolished, the most rigid economy favored in every branch of the public service, and severe punishment inflicted upon public officers who betray the trusts imposed in them.

9. As educated labor has devised means for multiplying production by inventions and discoveries, and as their use requires the exercise of mind as well as body, such legislation should be had that the number of hours of daily toil will be reduced, giving to the working classes more leisure for mental improvement and their several enjoyments, and saving them from premature decay and death.

10. The adoption of an American monetary system, as proposed herein, will harmonize all differences in regard to tariff and federal taxation, reduce and equalize the cost of transportation by land and water, distribute equitably the joint earnings of capital and labor, secure to the producers of wealth the results of their labor and skill, and muster out of service the vast army of idlers, who, under the existing system, grow rich upon the earnings of others, that every man and woman may, by his own efforts, secure a competency, so that overgrown fortunes and extreme poverty will be seldom found within the limits of our republic.

11. Both national and state governments should establish bureaus of labor and industrial statistics, clothed with the power of gathering and publishing the same.

12. That the contract system of employing labor in our prisons and reformatory institutions works great injustice to our mechanics and artisans, and should be prohibited.

13. The importation of servile labor into the United States from China is a problem of the most serious importance, and we recommend legislation looking to its suppression.

14. We believe in the supremacy of law over and above all perishable

material, and in the necessity of a party of united people that will rise above old party lines and prejudices. We will not affiliate in any degree with any of the old parties, but, in all cases and localities, will organize anew, as united national men—nominate for office and official positions only such persons as are clearly believers in and identified with this our sacred cause; and, irrespective of creed, color, place of birth, or past condition of political or other servitude, vote only for men who entirely abandon old party lines and organizations.

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#### 1879.—NATIONAL LIBERAL PLATFORM,

*Cincinnati, Ohio, September 14.*

1. Total separation of church and state, to be guaranteed by amendment of the United States constitution; including the equitable taxation of church property, secularization of the public schools, abrogation of Sabbatarian laws, abolition of chaplaincies, prohibitions of public appropriations for religious purposes, and all measures necessary to the same general end.

2. National protection for national citizens in their equal, civil, political, and religious rights, to be guaranteed by amendment of the United States constitution and afforded through the United States courts.

3. Universal education, the basis of universal suffrage in this secular republic, to be guaranteed by amendment of the United States constitution, requiring every state to maintain a thoroughly secularized public school system, and to permit no child within its limits to grow up without a good elementary education.

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#### 1880.—INDEPENDENT REPUBLICAN PRINCIPLES.

Independent republicans adhere to the republican principles of national supremacy, sound finances, and civil service reform, expressed in the republican platform of 1876, in the letter of acceptance of President Hayes, and in his message of 1879; and they seek the realization of those principles in practical laws and their efficient administration. This requires,

1. The continuance on the statute book of laws protecting the rights of voters at national elections. But national supremacy affords no pretext for interference with the local rights of communities; and the development of the south from its present defective civilization can be secured only under constitutional methods, such as those of President Hayes.

2. The passage of laws which shall deprive greenbacks of their legal-tender quality, as a first step toward their ultimate withdrawal and cancellation, and shall maintain all coins made legal-tender at such weight and fineness as will enable them to be used without discount in the commercial transactions of the world.

3. The repeal of the acts which limit the terms of office of certain government officials to four years; the repeal of the tenure-of-office acts, which limit the power of the executive to remove for cause; the establishment of a permanent civil service commission, or equivalent measures to ascertain, by open competition, and certify to the President or other appointing power the fitness of applicants for nomination or appointment to all non-political offices.

II. Independent republicans believe that local issues should be independent of party. The words republican and democrat should have no weight in determining whether a school or city shall be administered on business principles by capable men. With a view to this, legislation is asked which shall prescribe for the voting for local and for state officers upon separate ballots.

III. Independent republicans assert that a political party is a co-operation of voters to secure the practical enactment into legislation of political convictions set forth as its platform. Every voter accepting that platform is a member of that party; any representative of that party opposing the principles or evading the promises of its platform forfeits the support of its voters. No voter should be held by the action or nomination of any caucus or convention of his party against his private judgment. It is his duty to vote against bad measures and unfit men, as the only means of obtaining good ones; and if his party no longer represents its professed principles in its practical workings, it is his duty to vote against it.

IV. Independent republicans seek good nominations through participation in the primaries and through the defeat of bad nominees; they will labor for the defeat of any local republican candidate, and, in co-operation with those holding like views elsewhere, for the defeat of any general republican candidate whom they do not deem fit.

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#### 1880.—REPUBLICAN PLATFORM,

*Chicago, Ill., June 2.*

The republican party, in national convention assembled, at the end of twenty years since the federal government was first committed to its charge, submits to the people of the United States its brief report of its administration:

It suppressed a rebellion which had armed nearly a million of men to subvert the national authority. It reconstructed the Union of the states with freedom, instead of slavery, as its corner-stone. It transformed four million of human beings from the likeness of things to the rank of citizens. It relieved Congress from the infamous work of hunting fugitive slaves, and charged it to see that slavery does not exist.

It has raised the value of our paper currency from thirty-eight per cent. to the par of gold. It has restored, upon a solid basis, payment in coin for all the national obligations, and has given us a currency absolutely good and equal in every part of our extended country. It has lifted the credit of the nation from the point where six per cent. bonds sold at eighty-six to that where four per cent. bonds are eagerly sought at a premium.

Under its administration railways have increased from 31,000 miles in 1860, to more than 82,000 miles in 1879.

Our foreign trade has increased from \$700,000,000 to \$1,150,000,000 in the same time; and our exports, which were \$20,000,000 less than our imports in 1860, were \$264,000,000 more than our imports in 1879.

Without resorting to loans, it has, since the war closed, defrayed the ordinary expenses of government, besides the accruing interest on the public debt, and disbursed, annually, over \$30,000,000 for soldiers' pensions. It has paid \$883,000,000 of the public debt, and, by refunding the balance at lower rates, has reduced the annual interest charge from nearly \$151,000,000 to less than \$89,000,000.

All the industries of the country have revived, labor is in demand, wages have increased, and throughout the entire country there is evidence of a coming prosperity greater than we have ever enjoyed.

Upon this record, the republican party asks for the continued confidence and support of the people; and this convention submits for their approval the following statement of the principles and purposes which will continue to guide and inspire its efforts:

1. We affirm that the work of the last twenty years has been such as to commend itself to the favor of the nation, and that the fruits of the costly victories which we have achieved, through immense difficulties, should be preserved; that the peace regained should be cherished; that the dissevered Union, now happily restored, should be perpetuated, and that the liberties secured to this generation should be transmitted, undiminished, to future generations; that the order established and the credit acquired should never be impaired; that the pensions promised should be paid; that the debt so much reduced should be extinguished by the full payment of every dollar thereof; that the reviving industries should be further promoted; and that the commerce, already so great, should be steadily encouraged.

2. The constitution of the United States is a supreme law, and not a mere contract; out of confederate states it made a sovereign nation. Some powers are denied to the nation, while others are denied to states; but the boundary between the powers delegated and those reserved is to be determined by the national and not by the state tribunals.

3. The work of popular education is one left to the care of the several states, but it is the duty of the national government to aid that work to the extent of its constitutional ability. The intelligence of the nation is but the aggregate of the intelligence of the several states; and the destiny of the nation must be guided, not by the genius of any one state, but by the average genius of all.

4. The constitution wisely forbids Congress to make any law respecting an establishment of religion; but it is idle to hope that the nation can be protected against the influences of sectarianism while each state is exposed to its domination. We, therefore, recommend that the constitution be so amended as to lay the same prohibition upon the legislature of each state, to forbid the appropriation of public funds to the support of sectarian schools.

5. We reaffirm the belief, avowed in 1876, that the duties levied for the purpose of revenue should so discriminate as to favor American labor; that no further grant of the public domain should be made to any railway or other corporation; that slavery having perished in the states, its twin barbarity—polygamy—must die in the territories; that everywhere the protection accorded to citizens of American birth must be secured to citizens of American adoption; that we esteem it the duty of Congress to develop and improve our water-courses and harbors, but insist that further subsidies to private persons or corporations must cease; that the obligations of the republic to the men who preserved its integrity in the day of battle are undiminished by the lapse of fifteen years since their final victory—to do them perpetual honor is, and shall forever be, the grateful privilege and sacred duty of the American people.

6. Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with the Congress of the United States and its treaty-making powers, the republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invoke the exercise of that power to restrain and limit that immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.

7. That the purity and patriotism which characterized the early career of Rutherford B. Hayes in peace and war, and which guided the thoughts of our immediate predecessors to select him for a presidential candidate, have continued to inspire him in his career as chief executive, and that

history will accord to his administration the honors which are due to an efficient, just, and courteous discharge of the public business, and will honor his interposition between the people and proposed partisan laws.

8. We charge upon the democratic party the habitual sacrifice of patriotism and justice to a supreme and insatiable lust for office and patronage. That to obtain possession of the national and state governments, and the control of place and position, they have obstructed all efforts to promote the purity and to conserve the freedom of suffrage; have devised fraudulent certifications and returns; have labored to unseat lawfully-elected members of Congress, to secure, at all hazards, the vote of a majority of the states in the House of Representatives; have endeavored to occupy, by force and fraud the places of trust given to others by the people of Maine, and rescued by the courageous action of Maine's patriotic sons; have, by methods vicious in principle and tyrannical in practice, attached partisan legislation to appropriation bills, upon whose passage the very movements of governments depend; have crushed the rights of the individual; have advocated the principle and sought the favor of rebellion against the nation, and have endeavored to obliterate the sacred memories of the war, and to overcome its inestimably valuable results of nationality, personal freedom, and individual equality. Equal, steady, and complete enforcement of the laws, and protection of all our citizens in the enjoyment of all privileges and immunities guaranteed by the constitution, are the first duties of the nation. The danger of a solid south can only be averted by the faithful performance of every promise which the nation made to the citizen. The execution of the laws, and the punishment of all those who violate them, are the only safe methods by which an enduring peace can be secured, and genuine prosperity established throughout the south. Whatever promises the nation makes, the nation must perform; and the nation can not with safety relegate this duty the states. The solid south must be divided by the peaceful agencies of the ballot, and all opinions must there find free expression; and to this end honest voters must be protected against terrorism, violence, or fraud. And we affirm it to be the duty and the purpose of the republican party to use all legitimate means to restore all the states of this Union to the most perfect harmony which may be practicable; and we submit to the practical, sensible people of the United States to say whether it would not be dangerous to the dearest interests of our country, at this time to surrender the administration of the national government to a party which seeks to overthrow the existing policy, under which we are so prosperous, and thus bring distrust and confusion where there is now order, confidence, and hope.



9. The republican party, adhering to a principle affirmed by its last national convention, of respect for the constitutional rule covering appointments to office, adopts the declaration of President Hayes, that the reform of the civil service should be thorough, radical, and complete. To this end it demands the co-operation of the legislative with the executive department of the government, and that Congress shall so legislate that fitness, ascertained by proper practical tests, shall admit to the public service; and that the power of removal for cause, with due responsibility for the good conduct of subordinates, shall accompany the power of appointment.

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#### 1880.—NATIONAL (GREENBACK) PLATFORM,

*Chicago, Ill., June 9.*

The civil government should guarantee the divine right of every laborer to the results of his toil, thus enabling the producers of wealth to provide themselves with the means for physical comfort, and facilities for mental, social, and moral culture; and we condemn, as unworthy of our civilization, the barbarism which imposes upon wealth-producers a state of drudgery as the price of a bare animal existence. Notwithstanding the enormous increase of productive power by the universal introduction of labor-saving machinery and the discovery of new agents for the increase of wealth, the task of the laborer is scarcely lightened, the hours of toil are but little shortened, and few producers are lifted from poverty into comfort and pecuniary independence. The associated monopolies, the international syndicates, and other income classes demand dear money, cheap labor, and a strong government, and, hence, a weak people. Corporate control of the volume of money has been the means of dividing society into hostile classes, of an unjust distribution of the products of labor, and of building up monopolies of associated capital, endowed with power to confiscate private property. It has kept money scarce; and the scarcity of money enforces debt-trade, and public and corporate loans; debt engenders usury, and usury ends in the bankruptcy of the borrower. Other results are—deranged markets, uncertainty in manufacturing enterprises and agriculture, precarious and intermittent employment for the laborer, industrial war, increasing pauperism and crime, and the consequent intimidation and disfranchisement of the producer, and a rapid declension into corporate feudalism. Therefore, we declare—

1. That the right to make and issue money is a sovereign power, to be maintained by the people for their common benefit. The delegation of this right to corporations is a surrender of the central attribute of sover-

eignty, void of constitutional sanction, and conferring upon a subordinate and irresponsible power an absolute dominion over industry and commerce. All money, whether metallic or paper, should be issued, and its volume controlled, by the government, and not by or through banking corporations; and, when so issued, should be a full legal tender for all debts, public and private.

2. That the bonds of the United States should not be refunded, but paid as rapidly as practicable, according to contract. To enable the government to meet these obligations, legal-tender currency should be substituted for the notes of the national banks, the national banking system abolished, and the unlimited coinage of silver, as well as gold, established by law.

3. That labor should be so protected by national and state authority as to equalize its burdens and insure a just distribution of its results. The eight hour law of Congress should be enforced, the sanitary condition of industrial establishments placed under rigid control, the competition of contract convict labor abolished, a bureau of labor statistics established, factories, mines, and workshops inspected, the employment of children under fourteen years of age forbidden, and wages paid in cash.

4. Slavery being simply cheap labor, and cheap labor being simply slavery, the importation and presence of Chinese serfs necessarily tends to brutalize and degrade American labor; therefore, immediate steps should be taken to abrogate the Burlingame treaty.

5. Railroad land grants forfeited by reason of non-fulfillment of contract should be immediately reclaimed by the government, and, henceforth, the public domain reserved exclusively as homes for actual settlers.

6. It is the duty of Congress to regulate inter-state commerce. All lines of communication and transportation should be brought under such legislative control as shall secure moderate, fair, and uniform rates for passenger and freight traffic.

7. We denounce as destructive to property and dangerous to liberty the action of the old parties in fostering and sustaining gigantic land, railroad, and money corporations, and monopolies invested with and exercising powers belonging to the government, and yet not responsible to it for the manner of their exercise.

8. That the constitution, in giving Congress the power to borrow money, to declare war, to raise and support armies, to provide and maintain a navy, never intended that the men who loaned their money for an interest-consideration should be preferred to the soldiers and sailors who periled their lives and shed their blood on land and sea in defense of their country; and we condemn the cruel class legislation of the republican party,

which, while professing great gratitude to the soldier, has most unjustly discriminated against him and in favor of the bondholder.

9. All property should bear its just proportion of taxation, and we demand a graduated income tax.

10. We denounce as dangerous the efforts everywhere manifest to restrict the right of suffrage.

11. We are opposed to an increase of the standing army in time of peace, and the insidious scheme to establish an enormous military power under the guise of militia laws.

12. We demand absolute democratic rules for the government of Congress, placing all representatives of the people upon an equal footing, and taking away from committees a veto power greater than that of the President.

13. We demand a government of the people, by the people, and for the people, instead of a government of the bondholder, by the bondholder, and for the bondholder; and we denounce every attempt to stir up sectional strife as an effort to conceal monstrous crimes against the people.

14. In the furtherance of these ends we ask the co-operation of all fair-minded people. We have no quarrel with individuals, wage no war on classes, but only against vicious institutions. We are not content to endure further discipline from our present actual rulers, who, having dominion over money, over transportation, over land and labor, over the press and machinery of government, wield unwarrantable power over our institutions and over life and property.

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#### 1880.—PROHIBITION REFORM PLATFORM,

*Cleveland, Ohio, June 17.*

The prohibition reform party of the United States, organized, in the name of the people, to revive, enforce, and perpetuate in the government the doctrines of the Declaration of Independence, submit, for the suffrage of all good citizens, the following platform of national reforms and measures:

In the examination and discussion of the temperance question, it has been proven, and is an accepted truth, that alcoholic drinks, whether fermented, brewed, or distilled, are poisonous to the healthy human body, the drinking of which is not only needless and hurtful, necessarily tending to form intemperate habits, increasing greatly the number, severity, and fatal termination of diseases, weakening and deranging the intellect, polluting the affections, hardening the heart and corrupting the morals,

depriving many of reason and still more of its healthful exercise, and annually bringing down large numbers to untimely graves, producing, in the children of many who drink, a predisposition to intemperance, insanity, and various bodily and mental diseases, causing diminution of strength, feebleness of vision, fickleness of purpose, and premature old age, and inducing, in all future generations, deterioration of moral and physical character. Alcoholic drinks are thus the implacable foe of man as an individual.

1. The legalized importation, manufacture, and sale of intoxicating drinks ministers to their use, and teaches the erroneous and destructive sentiment that such use is right, thus tending to produce and perpetuate the above mentioned evils.

2. To the home it is an enemy—proving itself to be a disturber and destroyer of its peace, prosperity, and happiness; taking from it the earnings of the husband; depriving the dependent wife and children of essential food, clothing and education; bringing into it profanity, abuse, and violence; setting at naught the vows of the marriage altar; breaking up the family and sundering the children from the parents, and thus destroying one of the most beneficent institutions of our creator, and removing the sure foundation of good government, national prosperity, and welfare.

3. To the community it is equally an enemy—producing vice, demoralization, and wickedness; its places of sale being resorts of gaming, lewdness, and debauchery, and the hiding-places of those who prey upon society; counteracting the efficacy of religious effort, and of all means of intellectual elevation, moral purity, social happiness, and the eternal good of mankind, without rendering any counteracting or compensating benefits; being in its influence and effect evil and only evil, and that continually.

4. To the state it is equally an enemy—legislative inquiries, judicial investigations, and official reports of all penal, reformatory, and dependent institutions showing that the manufacture and sale of such beverages is the promoting cause of intemperance, crime, and pauperism, and of demands upon public and private charity, imposing the larger part of taxation, paralyzing thrift, industry, manufactures and commercial life, which, but for it, would be unnecessary; disturbing the peace of streets and highways; filling prisons and poor-houses; corrupting politics, legislation, and the execution of the laws; shortening lives; diminishing health, industry, and productive power in manufactures and art; and is manifestly unjust as well as injurious to the community upon which it is imposed, and is contrary to all just views of civil liberty, as well as a violation of the fundamental maxim of our common law, to use your own property or liberty so as not to injure others.

5. It is neither right nor politic for the state to afford legal protection to any traffic or any system which tends to waste the resources, to corrupt the social habits, and to destroy the health and lives of the people; that the importation, manufacture, and sale of intoxicating beverages is proven to be inimical to the true interests of the individual, home, community, and state, and destructive to the order and welfare of society, and ought, therefore, to be classed among crimes to be prohibited.

6. In this time of profound peace at home and abroad, the entire separation of the general government from the drink-traffic, and its prohibition in the District of Columbia, territories, and in all places and ways over which, under the constitution, Congress has control and power, is a political issue of the first importance to the peace and prosperity of the nation. There can be no stable peace and protection to personal liberty, life, or property, until secured by national or state constitutional provisions, enforced by adequate laws.

7. All legitimate industries require deliverance from the taxation and loss which the liquor traffic imposes upon them; and financial or other legislation could not accomplish so much to increase production and cause a demand for labor, and, as a result, for the comforts of living, as the suppression of this traffic would bring to thousands of homes as one of its blessings.

8. The administration of the government and the execution of the laws are through political parties; and we arraign the republican party, which has been in continuous power in the nation for twenty years, as being false to duty, as false to loudly-proclaimed principles of equal justice to all and special favors to none, and of protection to the weak and dependent, insensible to the mischief which the trade in liquor has constantly inflicted upon industry, trade, commerce, and the social happiness of the people; that 5,652 distilleries, 3,830 breweries, and 175,266 places for the sale of these poisonous liquors, involving an annual waste to the nation of one million five hundred thousand dollars, and the sacrifice of one hundred thousand lives, have, under its legislation, grown up and been fostered as a legitimate source of revenue; that during its history, six territories have been organized and five states have been admitted into the Union, with constitutions provided and approved by Congress, but the prohibition of this debasing and destructive traffic has not been provided, nor even the people given, at the time of admission, power to forbid it in any one of them. Its history further shows, that not in a single instance has an original prohibitory law been passed by any state that was controlled by it, while in four states, so governed, the laws found on its advent to power have been repealed. At its national convention in 1872, it declared, as a part of its party faith, that "it disapproves of the resort to unconsti-

tutional laws for the purpose of removing evils, by interference with rights not surrendered by the people to either the state or national government," which, the author of this plank says, was adopted by the platform committee with the full and implicit understanding that its purpose was the discountenancing of all so-called temperance, prohibitory, and Sunday laws.

9. We arraign, also, the democratic party as unfaithful and unworthy of reliance on this question; for, although not clothed with power, but occupying the relation of an opposition party during twenty years past, strong in numbers and organization, it has allied itself with liquor-traffickers, and become, in all of the states in the Union, their special political defenders, and in its national convention in 1876, as an article of its political faith, declared against prohibition and just laws in restraint of the trade in drink, by saying it was opposed to what it was pleased to call "all sumptuary laws." The national party has been dumb on this question.

10. Drink-traffickers, having the history and experience of all ages, climes, and conditions of men, declaring their business destructive of all good—finding no support in the Bible, morals, or reason—appeal to misapplied law for their justification, and intrench themselves behind the evil elements of political party for defense, party tactics and party inertia become battling forces, protecting this evil.

11. In view of the foregoing facts and history, we cordially invite all voters, without regard to former party affiliations, to unite with us in the use of the ballot for the abolition of the drinking system, under the authority of our national and state governments. We also demand, as a right, that women, having the privileges of citizens in other respects, be clothed with the ballot for their protection, and as a rightful means for the proper settlement of the liquor question.

12. To remove the apprehension of some who allege that a loss of public revenue would follow the suppression of the direct trade, we confidently point to the experience of governments abroad and at home, which shows that thrift and revenue from the consumption of legitimate manufactures and commerce have so largely followed the abolition of drink as to fully supply all loss of liquor taxes.

13. We recognize the good providence of Almighty God, who has preserved and prospered us as a nation; and, asking for His Spirit to guide us to ultimate success, we all look for it, relying upon His omnipotent arm.

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#### 1880.—DEMOCRATIC PLATFORM,

*Cincinnati, Ohio, June 22.*

The democrats of the United States, in convention assembled, declare:

1. We pledge ourselves anew to the constitutional doctrines and tradi-

tions of the democratic party, as illustrated by the teachings and examples of a long line of democratic statesmen and patriots, and embodied in the platform of the last national convention of the party.

2. Opposition to centralization, and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism; no sumptuary laws; separation of the church and state for the good of each; common schools fostered and protected.

3. Home rule; honest money, consisting of gold and silver, and paper, convertible into coin on demand; the strict maintenance of the public faith, state and national; and a tariff for revenue only; the subordination of the military to the civil power; and a general and thorough reform of the civil service.

4. The right to a free ballot is a right preservative of all rights; and must and shall be maintained in every part of the United States.

5. The existing administration is the representative of a conspiracy only; and its claim of right to surround the ballot-boxes with troops and deputy marshals, to intimidate and obstruct the elections, and the unprecedented use of the veto to maintain its corrupt and despotic power, insults the people and imperils their institutions. We execrate the course of this administration in making places in the civil service a reward for political crime; and demand a reform, by statute, which shall make it forever impossible for a defeated candidate to bribe his way to the seat of a usurper by billeting villains upon the people.

6. The great fraud of 1876-7, by which, upon a false count of the electoral votes of two states, the candidate defeated at the polls was declared to be President, and, for the first time in American history, the will of the people was set aside under a threat of military violence, struck a deadly blow at our system of representative government. The democratic party, to preserve the country from the horrors of a civil war, submitted for the time, in the firm and patriotic belief that the people would punish the crime in 1880. This issue precedes and dwarfs every other. It imposes a more sacred duty upon the people of the Union than ever addressed the consciences of a nation of freemen.

7. The resolution of Samuel J. Tilden, not again to be a candidate for the exalted place to which he was elected by a majority of his countrymen, and from which he was excluded by the leaders of the republican party, is received by the democrats of the United States with deep sensibility; and they declare their confidence in his wisdom, patriotism, and integrity unshaken by the assaults of the common enemy; and they further assure him that he is followed into the retirement he has chosen for himself by the sympathy and respect of his fellow citizens, who regard him

as one who, by elevating the standard of the public morality, and adorning and purifying the public service, merits the lasting gratitude of his country and his party.

8. Free ships, and a living chance for American commerce upon the seas; and on the land, no discrimination in favor of transportation lines, corporations, or monopolies.

9. Amendments of the Burlingame treaty; no more Chinese immigration, except for travel, education, and foreign commerce, and, therein, carefully guarded.

10. Public money and public credit for public purposes solely, and public land for actual settlers.

11. The democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorants and the commune.

12. We congratulate the country upon the honesty and thrift of a democratic Congress, which has reduced the public expenditure \$10,000,000 a year; upon the continuation of prosperity at home and the national honor abroad; and, above all, upon the promise of such a change in the administration of the government as shall insure a genuine and lasting reform in every department of the public service.



## CHAPTER XXII.

## GARFIELD'S AND ARTHUR'S ADMINISTRATION.

1881—188—.

## GARFIELD'S INAUGURAL ADDRESS.

The inauguration of James A. Garfield and Chester A. Arthur, as President and Vice-President of the United States, took place on the 4th of March, 1881.

In his inaugural address the President advocated the regulation of the civil service by law, universal education as a safeguard of suffrage, the refunding of the national debt at a lower rate of interest, without compelling the withdrawal of the national bank notes, and the adjustment of our monetary system, so that the purchasing power of every coined dollar will be exactly equal to its debt-paying power, in all the markets in the world. He advocated the prohibition of polygamy, and promised equal protection of the laws for all citizens, without distinction of race or color.

His cabinet nominations were made and confirmed the day following the inauguration. He selected James G. Blaine, secretary of state; William Windom, of Minnesota, secretary of treasury; William H. Hunt, of Louisiana, secretary of the navy; Robert T. Lincoln, of Illinois, secretary of war; Wayne McVeagh, of Pennsylvania, attorney-general; Thomas L. James, of New York, postmaster-general; and Samuel J. Kirkwood, of Iowa, secretary of the interior.

## EXTRA SESSION OF THE SENATE.

The necessity for an extra session of the Senate was made known by President Hayes, in a proclamation, preceding the

close of his term of service. In accordance with this call, the Senate met in extra session on the 4th of March, 1881. The parties were so evenly divided that business involving political questions could not be rapidly transacted. This evenness of the parties resulted in a dead-lock that was not broken without weeks of bitter partisan discussion. That which clogged the work of the Senate was the question of organization. The republicans desired new officers, chosen from their own party; the democrats wished to retain the old officers, who were members of their party. Senator David Davis, of Illinois, was classed as an independent. When he voted with the republicans they were enabled to carry their measures by the casting vote of the Vice-President, their presiding officer. When Mr. Davis voted with the democrats, the vote of the Vice-President was of no avail to the republicans. On the question of organization the view of Mr. Davis accorded with that of the democrats. The dead-lock was not broken until a sufficient number of recently chosen republicans entered the Senate to overcome the slight advantage of the democrats.

During this session much was said by the senators and the press on "senatorial courtesy," a privilege of the Senate, which, according to courtesy and custom, leaves to the senators of a state the right to say who shall be appointed from their respective states, provided the senators are of the same party as the President. One wing of the republican party, headed by Senator Conkling, put great stress upon this custom, while the other wing, supporting the administration, set it at naught.

President Garfield sent in the names of five persons whom he had nominated for important positions in New York. This had been done at the suggestion of Senator Conkling, who had been invited by the President to name his friends. While this was satisfactory to the senator and his adherents,

it called forth loud protests from those who did not believe that so many nominations should be selected from the friends of Mr. Conkling. For the collector of customs at New York no nomination was at first made, General Edwin H. Merritt being the incumbent.

To allay the dissatisfaction occasioned by the five nominations, and, perhaps, to quiet the rapidly developing spirit of faction in New York between the Grant and the anti-Grant partisans, President Garfield, on the 23d of March, sent in the name of Judge William H. Robertson for the New York collectorship. The Judge had opposed the unit rule at Chicago, disavowed the instructions of the New York convention to vote for General Grant, and headed the Blaine delegates from that state, and on the withdrawal of the latter, used his influence for the nomination of Garfield. He was not, therefore, in political accord with Senator Conkling. The latter now endeavored to secure the confirmation of his friends, and defeat that of the Judge, who was his political enemy. This effort influenced the President to withdraw the nominations that had been suggested by the Senator, thus leaving for confirmation before the Senate, for a time, the name of Judge Robertson alone. Against this withdrawal the New York senator and the Vice-President remonstrated in a letter to the Executive, but he did not recede from his position. Whereupon Senator Conkling endeavored to defeat the nomination of Robertson under the plea of the "privilege of the Senate," as to senatorial courtesy. There were arrayed against him the influence of Mr. Blaine, the secretary of state, and a sufficient number of senators to counteract the influence of Conkling. Seeing that the confirmation of the Judge could not be prevented, Senators Conkling and Platt sent in their resignations, which were read to the Senate. These were prepared without consultation with intimate friends, and created great excitement

throughout the country. Governor Cornell, of New York, to whom the resignations were sent, used in vain his influence to have them reconsidered and withdrawn. After this act President Garfield returned to the Senate the list of appointees that he had withdrawn, most of whom, under the changed condition of affairs, declined the nomination.

The extra session of the Senate was brought to a close on Friday, May 20.

#### "STALWARTS" AND "HALF-BREEDS."

The resignation of the New York Senators gave the democrats control of the national Senate, but they did not think it wise to take advantage of their unexpected and temporary opportunity. The New York legislature was in session, and elections for filling the vacancies soon followed. Over these there was a contest which widened the breach in the republican party more than ever. One wing being called "stalwarts," and the other "half-breeds," the name given by Conkling to independents. Balloting began in the New York legislature for successors to Senators Conkling and Platt on the 31st of May. The majority of the republicans were independents or "half-breeds," and supported Chauncey M. Depew as the successor of Platt, and William A. Wheeler as the successor of Conkling. The former for the long term, the latter for the short term. A few of the independents supported Cornell. The "stalwarts" were in the minority and they renominated the Senators who had resigned, with a view of vindicating their action. The nominee of the democrats for the long term was Francis Kernan, and for the short term, John C. Jacobs. The latter having withdrawn, Clarkson N. Potter was nominated in his stead. The contest was brought to a close on the 22d of July by a compromise which secured the election of Warren A. Miller and Elbridge G. Lapham as successors to Platt and Conkling. This heated

political struggle attracted the attention of the entire country. The weakening influence of these factions would have caused the democratic state ticket in the fall of 1881 to have been successful had not the warring factions been united by the interposition of President Arthur. So well did he accomplish this work that there was only one democrat on the state ticket who succeeded.

“REGULARS” AND “INDEPENDENTS.”

The spirit of political faction was manifested in Pennsylvania among the republicans even before it appeared in New York. In the winter of 1881, a successor to United States Senator William A. Wallace, of Pennsylvania, was to be chosen. The republican caucus nominated Henry W. Oliver, Junior, but the friends of Galusha A. Grow refused to participate in the caucus and declared in a written paper that they would independently manifest their choice in the legislature. On the 17th of January, 1881, the two factions issued opposing addresses by which they defined their positions to the people of the state. Those who participated in the caucus and nominated Mr. Oliver, were called “regulars,” and those who opposed the caucus and its nomination were called “independents.” After a long struggle the leading candidates of the factions withdrew; whereupon new standard bearers were chosen on whose names the dead-lock continued till the 17th of February, when each republican faction agreed that a conference committee should be appointed consisting of twelve from each division, to whom the selection of a candidate should be referred. After a session of several days the joint convention on the 22d of February agreed upon John J. Mitchell, of Tioga, as a compromised candidate. The following morning he was nominated by a full republican caucus and elected, on the first ballot, in joint convention the same day.

## THE "CONTINENTALS" AND THE "WOLFE MEN."

In the fall of 1881, General Sylus Bailey received the nomination for state treasurer. Charles S. Wolfe announced himself as an independent candidate for the same position. The independents who supported General Bailey were called "continentals;" and those of the same faction who supported his opponent were called "Wolfe men." The continentals, after the election, proclaimed themselves willing to abide by all republican nominations fairly made, and to support reforms within the party lines; thus it is seen that in Pennsylvania the republicans were divided into two factions, and one of these factions was subdivided into two wings.

## THE RE-ADJUSTERS.

General Mahone, in 1878, divided the democratic party of Virginia on the question of the state debt. He was charged by his enemies with seeking to repudiate this debt, but he denied the charge and said the bourbons were repudiating it by making no provision for its payment. It is doubtless true that the views first taken by Mahone underwent some modification; for he and his friends afterwards advocated full payment, less the proportion equitably assigned to West Virginia. That state on separating from old Virginia during the war declared in her constitution that the state should never contract a debt save one for resisting invasion or supporting a war for the government, and in this way evaded assuming her proportion of the old Virginia debt. General Mahone advocated the funding of the state debt at three per cent. rate on the ground that Virginia could pay no more. The regular democrats advocated full payment. By uniting his wing with the republican party, General Mahone won the legislature for his organization, and was elected to the United States Senate in December, 1880. The partisans whom he

headed were called "re-adjusters," while the regular democrats of the state received from their opponents the name of "bourbons." He entered the extra session of the Senate in 1881, and became allied with the republicans in an attempt to break the "solid south."

The General was quite prominent during the session and caused more excitement in the chamber than had the contest in his state between himself and the regular democrats. The struggle of the re-adjusters became known as the anti-bourbon movement, and efforts were made to extend it to other states wherein the democratic vote was solid, and it had some influence in Georgia, South Carolina, Tennessee, Mississippi, and Kentucky.

#### THE ASSASSINATION OF PRESIDENT GARFIELD.

On the 2d of July, 1881, President Garfield, in company with Secretary Blaine, left the executive mansion at 9 o'clock A. M. and proceeded to the depot of the Baltimore and Potomac railway, where the President designed to take a special train to visit, in New England, a college from which he had graduated. Having entered the main waiting room, and walking arm in arm with the secretary, Charles J. Guiteau, a persistent applicant for office, advanced toward the President and fired at him two shots, one of which was harmless, but the other entered the body of the President about four inches to the right of the spinal column and struck the tenth and the eleventh rib. The wounded President sank to the floor, and was conveyed at once to a room where he could receive necessary attention. Dr. Bliss made an effort to find the ball but was not successful. The system of the President was severely shocked, and at first it was supposed that death would soon ensue. He was removed to the executive mansion two hours after the shooting. Vomiting set in soon after this, without symptoms indicative of recovery, until past

midnight. The following morning, which was Sunday, Dr. Bliss was designated to take charge of the case, and he called to his aid Surgeon-General Barnes, Assistant Surgeon-General Woodward, and Dr. Raymond.

By telegraph Dr. Agnew, of Philadelphia, and Dr. Hamilton, of New York, were summoned for consultation, to satisfy the demand of the country. They reached Washington on Sunday afternoon. But little hope of recovery was entertained till the night of July 4, when a favorable turn was observed, and on the following morning there was a vague hope that the result would be favorable. Drs. Agnew and Hamilton then returned to their homes, having published to the country that they approved the treatment inaugurated by Dr. Bliss. Improvement continued till the 7th of July, when Dr. Bliss became very confident of ultimate triumph over the disease. From this time till the 16th there was gradual improvement, and the country began to entertain hopes that the patient would recover. On the 8th of August, Drs. Agnew and Hamilton performed a surgical operation that lasted an hour, and for a time seemed to weaken the President, but having taken nourishment, he soon revived, and the operation was pronounced successful. On the 9th he wrote his name for the first time, and on the next day he signed an important extradition paper. On the 11th he wrote a letter to his aged mother, at Mentor, in which he used words of a hopeful tendency. Hopes and fears alternated from day to day, amid the most painful excitement and the most watchful attention, till on the 6th of September, when he was removed to Long Branch, in a car prepared for the purpose. When placed in a cottage at Elberon, indications justified sanguine hopes of a return to vigor. The country watched with feverish anxiety the news of the patient's condition, which was first for the better and then for the worse. On Tuesday, the 13th of Sep-



tember, the improvement was such that the patient was placed in a chair at the window, where he could see the waters of the ocean. Though from this till the closing moment there were frequent hopes of recovery, the wasted and suffering form was sinking day by day. President Garfield died on the night of September 19, 1881, at 10 o'clock and 35 minutes; and the nation mourned his loss by a sympathy unparalleled, and only approximated by that which was occasioned by the assassination of President Lincoln. After a lengthy trial, the assassin was tried, convicted, and hung.

#### ARTHUR'S ACCESSION.

At midnight, on the 19th of September, the cabinet, at Long Branch, telegraphed Vice-President Arthur to take promptly the oath of office. This he did before a local judge in New York. He then went to Washington and took the oath of office in the marble room of the Capitol in the presence of the members of the cabinet, the justices of the Supreme Court, a few senators, and members of the House of Representatives. President Arthur arose, and, standing upon one side of the centre table, Chief Justice Waite on the other side, heard the oath administered. The President's manner was calm and composed, and his response, "So help me God," was in a firm tone, without a tremor. The President then read, from manuscript notes, a brief inaugural address. On the same day, September 22, the cabinet, through Secretary Blaine, tendered their resignations. The President said that he did not desire to accept them, and would esteem it a personal favor if the cabinet would continue in the discharge of their duties. The emergency being great, the cabinet manifested a desire to aid the President in the management of public duties till he should see fit to form a cabinet of his own selection.

## BOSS RULE.

"Boss rule" is a political epithet, of which Wayne McVeagh is the author, and is a term used to designate party domination by a few political leaders who have obtained such influence and power as to control the workings of their party. In Grant's administration, especially, this kind of rule became prominent and created much dissatisfaction. During the presidential term of Hayes it met with resistance, and, after the death of Garfield, systematic efforts to suppress it were instituted in some sections of the country.

With this object in view a body of merchants in Philadelphia organized themselves under the name of "the committee of one hundred," and operated with influence in the municipal elections. The citizens' republican association of Philadelphia adopted a declaration of principles, which, among other things, declared, "That the only practical method of restoring purity to administration is through the adoption of a system of civil service, under which public officials shall not be the tools of any man or of any clique, subject to dismissal at their behest, or to assessment in their service; nor appointment to office be "patronage" at the disposal of any man to consolidate his power within the party.

"It is the abuse of this appointing power which has led to the formation of the "machine," and the subjection of the party to "bosses." Our chosen leader, the late President Garfield, fell a martyr in his contest with the "bosses." We take up the struggle where he left it, and we hereby declare that we will owe no allegiance to any "boss," nor be subservient to any "machine;" but that we will do our utmost to liberate the party from the "boss" domination under which it has fallen.

"Recognizing that political parties are simply instrumentalities for the enforcement of certain recognized principles, we

shall endeavor to promote the principles of the republican party by means of that party, disenthralled and released from the domination of its "bosses." But should we fail in this, we shall have no hesitation in seeking to advance the principles of the party through movements and organizations outside of the party lines.

The general defeat of the republican party at the state elections in the fall of 1882 is regarded as a national blow at "bossism" and the defeat of machine politics in the same party.

#### THE STAR ROUTE SCANDAL

Those postal routes that are not along the regular highways, such as railroads and rivers, are designated in the records of the postoffice department by stars. For this reason they have received the appellation of the star routes, concerning which there is a scandal, the origin of which is traced to the operations of the department in Hayes's administration. When Mr. James became postmaster-general in President Garfield's cabinet, he discovered irregularities in the conduct of the mail service, in connection with the star routes. These routes had been authorized by Congress, to promote the more rapid carriage of mails, and to extend further the mail facilities. These routes, in the west and south, were unpopular, and the demand for mail facilities in those sections would, even in a legitimate way, unless watched with vigilance, result in great cost and extravagance; but it is alleged that General Brady, an assistant postmaster-general under General Key, headed the formation of a ring, by which routes were established with the view of defrauding the government; and that false bonds were given, and large and fraudulent sums were paid for no service, or for but a meager amount. When President Garfield was assassinated this scandal was at its height. The determination of the President to have the scandal thoroughly investigated was carried out by

Mr. Arthur, after his accession. Formidable indictments were presented in Washington, on the 24th of March, 1882, against persons who were supposed to be implicated in the frauds. The trial continued till the following fall, without the results warranted by the indictments.

Congress met December —, with the republicans slightly  
**Forty-seventh Congress,** } dominant in both branches. The  
**First Session.** } democrats were well equipped with  
 eminent leaders. In the Senate were Hill, Bayard, Pendleton,  
 Brown, Voorhees, Lamar, and Garland; and in the House,  
 Stephens, Randall, Hewitt, Cox, and Johnson. Though a  
 great amount of business was transacted during the session,  
 only a small number of the measures was of such a political  
 nature as to attract the attention of the public. Among these  
 was the

#### ANTI-POLYGAMY BILL,

enacted for the purpose of suppressing polygamy in Utah and other territories. It was resisted by the democrats who questioned the propriety of assaulting the liberty of conscience. Their opposition, however, did not put them on record as defenders of polygamy.

#### THE TARIFF COMMISSION.

For the last six years legislation has demonstrated that Congress can not deal successfully with the tariff question. The position of the democratic party on protection was not so hostile as it had been on former occasions, but the party opposed the bill passed this session for creating a tariff commission whose duty it should be to deal with the subject by the most efficient efforts and report at the next session of Congress.

#### THE BANK BILL.

The republicans advocated a bill to enable national banking institutions to extend their corporate existence and pro-

vide security for the system. Owing to the resistance of the democrats, the republicans passed the bill only through patient and resolute efforts.

#### THE ANTI-CHINESE BILL.

One of the exciting questions debated was the immigration of Chinese to the Pacific slope. The democrats supported the bill, which was introduced to restrict Chinese immigration until the expiration of twenty years after the passage of the act. In their support they were generally aided by republican senators from the west. This measure was vetoed by the President, but a new bill embracing his views was introduced and passed. It provided that for ten years after the act should go into effect, the coming of Chinese laborers to the United States should be suspended, and that during the suspension it should not be lawful for any Chinese laborer to come, and if he should come he should not remain in the country. This act became a law in April, 1882, and took out of politics the consideration of the Chinese question.

#### THE RIVER AND HARBOR BILL.

A measure known as "the river and harbor bill," passed both branches of Congress, having received support from democrats and republicans. While the bill was pending it received severe criticism from the press of the country irrespective of party. The support of this measure by the republicans was remembered to their detriment at the following fall elections. This bill having been vetoed by the President became a law by a two-thirds vote of Congress.

This session, of the 47th Congress, was the longest single session since 1876, when two hundred and fifty-four days were devoted chiefly to partisan investigations. This Congress has been commended for the amount of work accomplished at legislation, and by the leading committees. Of the measures

considered there were but few that elicited political contest. It must be said that it considered many measures of national importance and interest, as well as of local consequence.

A bill making a re-apportionment of the representatives became a law; a tribunal for the adjudication of the remainder of the Alabama claims was created; a three per cent. refunding act was passed; a law designed for the comfort and protection of immigrants during the voyage to America was enacted; a bill to regulate immigration, and to prevent the landing of foreign paupers and convicts became a law; the efficiency of the life-saving service was promoted by the passage of a bill in its favor; a reform in the system of public land surveys was initiated, and the future cost of such surveys was reduced one-third; provisions for the reorganization of the navy, and for the building of ships of war were properly made; the compulsory retirement system for the army was adopted; necessary amendments to the law regulating extradition of criminals received the approval of both branches; more efficient provisions for the education of Indian youth were made; the right of eminent domain in the Indian territory was asserted by the government; the railway mail service was placed on a better basis; a law relating to the tonnage measurement of American vessels, and placing them on equal footing with the vessels of other countries in foreign ports, and other measures looking to the revival of American commerce were adopted; and a joint select committee was appointed to inquire into and report upon the condition and wants of American ship-building and ship-owning interest. Seven thousand one hundred and eighty-two bills and joint resolutions were introduced in the House. Of this number 803 were reported favorably, 245 unfavorably, while about 6,134 were left in the hands of the various committees.

The House passed 383 bills and joint resolutions, 287 of

which became laws, and 41 awaited the President's approval. In the Senate 2,283 bills and joint resolutions were introduced, 466 of which were passed. The following were among the bills and joint resolutions of general interest that remained on the Senate calendar: To establish a uniform system of bankruptcy; to provide for ocean mail service between the United States and foreign ports; to regulate and improve the civil service; to incorporate the Maritime Canal Company of Nicaragua; to incorporate the Inter-ocean Ship Railway Company, known as the Eads bill; to constitute the department of agriculture, an executive department, and to enlarge its powers and duties; to provide for the performance of the duties of the office of President, in case of removal, death, resignation, or inability, both of the President and Vice-President. The amount appropriated this session for various purposes was \$214,243,097.36. After appropriate remarks from the presiding officers of both branches, Congress adjourned on the 8th of August.

#### GARFIELD'S FOREIGN POLICY.

It is now known that had the life of President Garfield been preserved he would have had his administration especially brilliant abroad. Secretary Blaine conceived a policy which looked to a closer relation with all the republics on the western hemisphere. The secretary desired a congress of the republics of America at Washington and under the patronage of the United States government, with the object of promoting trade and of settling all difficulties by arbitration. This cabinet officer sent a letter to the United States' ministers in Central and South America, which proposed the conference, explained its mission, and gave instruction to the ministers. The question was complicated by the war between Chili and Peru, and a scandal resulted, the import of which was to implicate officers of the United States government in

improper speculations on mines in Peru. The scandal attracted the attention of Congress, and a resolution was offered instructing the committee on foreign affairs to give the matter ample investigation. The resolution was adopted and its directions carried out, but nothing was found that would implicate any officer of the government, as was recited in the resolution of Congress. The information obtained by this investigation, and from other sources, would indicate that the foreign policy, as conceived by Secretary Blaine, though abandoned by his successor, was brilliant beyond any example in our history.

#### STATE ELECTIONS, NOVEMBER, 1882.

On the 7th of November there were elections in thirty-two states of the Union. Republican losses were unexpectedly severe, and the victory of the democrats was overwhelming. The result of the elections was construed by many, aside from accidental considerations, as a protest against the methods of machine politics, as represented by machine politicians, the whole import of which was a demand, on the part of the republic, for civil service reform.

Congress met December 5, 1882. The democrats entered **Forty-seventh Congress,** } upon the work of legislation en-  
**Second Session.** } couraged by the success of their or-  
ganization at the elections the preceding month, while the republicans felt that only through prudent action could they overcome the recent defeat of their party.

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The New York Tribune, 1881-82.....	_____
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Congressional Record, 1881-82 .....	_____



American Politics .....Cooper.  
 American Almanac, 1881-82.....Spofford.

#### EXECUTIVE OFFICERS OF GARFIELD'S AND ARTHUR'S ADMINISTRATION.

James A. Garfield.....President .....1881-1881  
 Chester A. Arthur.....Vice-President.....1881-1881  
 Chester A. Arthur.....President .....1881

#### CABINET.

James G. Blaine .....Secretary of State.....1881-1881  
 Theodore Frelinghuysen .... " " .....1881  
 William Windom.....Secretary of the Treasury .....1881-1881  
 Charles J. Folger..... " " " .....1881  
 William H. Hunt.....Secretary of the Navy .....1881-1881  
 William E. Chandler..... " " " .....1881  
 Robert T. Lincoln.....Secretary of War .....1881  
 Thomas L. James .....Postmaster-General.... .....1881-1881  
 Timothy O. Howe..... " " .....1881  
 Samuel J. Kirkwood .....Secretary of the Interior.....1881-1882  
 N. M. Teller..... " " " .....1882  
 Wayne McVeagh .....Attorney-General.....1881-1881  
 Benjamin Brewster..... " " .....1881

#### JUDICIAL OFFICERS.

	Appointed from.	Date of Commission.	Salary.
Chief Justice Morrison R. Waite...	Ohio.....	Jan. 21, 1874.....	\$10,500
Justice Nathan Clifford.....	Maine.....	Jan. 12, 1858.....	10,000
Justice Noah H. Swayne.....	Ohio.....	Jan. 24, 1862.....	10,000
Justice Samuel F. Miller.....	Iowa.....	July 16, 1862.....	10,000
Justice Stephen J. Field.....	California....	Mar. 10, 1868.....	10,000
Justice Joseph P. Bradley.....	New Jersey...Mar. 21, 1870.....		10,000
Justice Ward Hunt.....	New York ...Dec. 11, 1872.....		10,000
Justice John M. Harlan.....	Kentucky.....Nov. 29, 1877.....		10,000
Justice William B. Woods.....	Georgia.....Dec. 21, 1880.....		10,000
Justice Stanley Mathews.....	Ohio.....	1880.....	10,000

#### LEGISLATIVE OFFICERS.

Chester A. Arthur.....President of the Senate *pro tempore*.....1881-1881  
 Thomas F. Bayard ..... " " " " .....1881-1881  
 David Davis..... " " " .....1881  
 J. Warren Keifer.....Speaker of the House .....1881-1882

1881.—VIRGINIA READJUSTER PLATFORM.

[Adopted June 2.]

1. We recognize our obligation to support the institution for the deaf, dumb and blind, the lunatic asylum, the public free schools and the government out of the revenues of the state; and we deprecate and denounce that policy of ring rule and subordinated sovereignty which for years borrowed money out of banks at high rates of interest for the discharge of these paramount trusts, while our revenues were left the prey of commercial exchanges, available to the state only at the option of speculators and syndicates.

2. We reassert our purpose to settle and adjust our state obligations on the principles of the "Bill to re-establish public credit," known as the "Riddleberger bill," passed by the last general assembly and vetoed by the Governor. We maintain that this measure recognizes the just debt of Virginia, in this, that it assumes two-thirds of all the money Virginia borrowed, and sets aside the other third to West Virginia to be dealt with by her in her own way and at her own pleasure; that it places those of her creditors who have received but six per cent. instalments of interest in nine years upon an exact equality with those who by corrupt agencies were enabled to absorb and monopolize our means of payment; that it agrees to pay such rate of interest on our securities as can with certainty be met out of the revenues of the state, and that it contains all the essential features of finality.

3. We reassert our adherence to the constitutional requirements for the "equal and uniform" taxation of property, exempting none except that specified by the constitution and used exclusively for "religious, charitable and educational purposes."

4. We reassert that the paramount obligation of the various works of internal improvement is to the people of the state, by whose authority they were created, by whose money they were constructed, and by whose grace they live; and it is enjoined upon our representative and executive officers to enforce the discharge of that duty; to insure to our people such rates, facilities and connections as will protect every industry and interest against discrimination, tend to the development of our agricultural and mineral resources, encourage the investment of active capital in manufactures, and the profitable employment of labor in industrial enterprises, grasp for our city and our whole state those advantages to which by their geographical position they are entitled, and fulfill all the great public ends for which they were designed.

5. The readjusters hold the right to a free ballot to be the right preserv-

ative of all rights, and that it should be maintained in every state in the Union. We believe the capitation tax restriction upon the suffrage in Virginia to be in conflict with the fourteenth amendment to the constitution of the United States. We believe that it is a violation of that condition of reconstruction wherein the pledge was given not so to amend our state constitution as to deprive any citizen or class of citizens of a right to vote, except as punishment for such crimes as are felony at common law. We believe such a prerequisite to voting to be contrary to the genius of our institutions, the very foundation of which is representation as antecedent to taxation. We know that it has been a failure as a measure for the collection of revenue, the pretended reason for its invention in 1876, and we know the base, demoralizing and dangerous uses to which it has been prostituted. We know it contributes to the increase of monopoly power, and to corrupting the voter. For these and other reasons we adhere to the purpose hitherto expressed to provide more effectual legislation for the collection of this tax, dedicated by the constitution to the public free schools, and to abolish it as a qualification for and restriction upon suffrage.

6. The readjusters congratulate the whole people of Virginia on the progress of the last few years in developing mineral resources and promoting manufacturing enterprises in the state, and they declare their purpose to aid these great and growing industries by all proper and essential legislation, state and federal. To this end they will continue their efforts in behalf of more cordial and fraternal relations between the sections and states, and especially for that concord and harmony which will make the country to know how earnestly and sincerely Virginia invites all men into her borders as visitors or to become citizens without fear of social or political ostracism; that every man, from whatever section of country, shall enjoy the fullest freedom of thought, speech, politics, and religion, and that the state which first formulated these principles as fundamental in free government is yet the citadel for their exercise and protection.

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#### 1881.—VIRGINIA DEMOCRATIC PLATFORM,

*[Adopted August 4.]*

The conservative democratic party of Virginia—democratic in its federal relations and conservative in its state policy—assembled in convention, in view of the present condition of the Union and of this commonwealth, for the clear and distinct assertion of its political principles, doth declare that we adopt the following articles of political faith:

1. Equality of right and exact justice to all men, special privileges to

none; freedom of religion, freedom of the press, and freedom of the person under the protection of the *habeas corpus*; of trial by juries impartially selected, and of a pure, upright and non-partisan judiciary; elections by the people, free from force or fraud of citizens or of the military and civil officers of government; and the selection for public offices of those who are honest and best fitted to fill them; the support of the state governments in all their rights as the most competent administrations of our domestic concerns and the surest bulwarks against anti-republican tendencies; and the preservation of the general government in its whole constitutional vigor as the best sheet-anchor of our peace at home and our safety abroad.

2. That the maintenance of the public credit of Virginia is an essential means to the promotion of her prosperity. We condemn repudiation in every shape and form as a blot upon her honor, a blow at her permanent welfare, and an obstacle to her progress in wealth, influence and power; and that we will make every effort to secure a settlement of the public debt, with the consent of her creditors, which is consistent with her honor and dictated by justice and sound public policy; that it is eminently desirable and proper that the several classes of the debt now existing should be unified, so that equality, which is equity, may control in the annual payment of interest and the ultimate redemption of principal; that, with a view of securing such equality, we pledge our party to use all lawful authority to secure a settlement of the state debt so that there shall be but one class of the public debt; that we will use all lawful and constitutional means in our power to secure a settlement of the state debt upon the basis of a three per cent. bond, and that the conservative democratic party pledges itself, as a part of its policy, not to increase the present rate of taxation.

3. That we will uphold, in its full constitutional integrity and efficiency, our public school system for the education of both white and colored children—a system inaugurated by the constitution of the state and established by the action of the conservative party years before it was required by the constitution; and will take the most effectual means for the faithful execution of the same by applying to its support all the revenues set apart for that object by the constitution or otherwise.

4. Upon this declaration of principles we cordially invite the co-operation of all conservative democrats, whatever may have been or now are their views upon the public debt, in the election of the nominees of this convention and in the maintenance of the supremacy of the democratic party in this state.

*Resolved, further,* That any intimation, coming from any quarter, that the conservative-democratic party of Virginia has been, is now, or proposes to

be, opposed to an honest ballot and a fair count, is a calumny upon the state of Virginia as unfounded in fact as it is dishonorable to its authors.

That special efforts be made to foster and encourage the agricultural, mechanical, mining, manufacturing, and other industrial interests of the state.

That, in common with all good citizens of the Union, we reflect with deep abhorrence upon the crime of the man who aimed a blow at the life of the eminent citizen who was called by the constitutional voice of fifty millions of people to be the President of the United States; and we tender to him and to his friends the sympathy and respect of this convention and of those we represent, in this great calamity, and our hearty desire for his complete restoration to health and return to the discharge of his important duties, for the welfare and honor of our common country.

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#### 1881.—VIRGINIA REPUBLICAN PLATFORM.

[*Adopted August 11.*]

WHEREAS, It is proper that when the people assemble in convention they should avow distinctly the principles of government on which they stand; now, therefore, be it,

*Resolved*, That we, the republicans of Virginia, hereby make a declaration of our allegiance and adhesion to the principles of the republican party of the country, and our determination to stand squarely by the organization of the republican party of Virginia, always defending it against the assaults of all persons or parties whatsoever.

2. That amongst the principles of the republican party none is of more vital importance to the welfare and interest of the country in all its parts than that which pertains to the sanctity of government contracts. It therefore becomes the special duty and province of the republican party of Virginia to guard and protect the credit of our time-honored state, which has been besmirched with repudiation, or received with distrust, by the gross mismanagement of various factions of the democratic party, which have controlled the legislation of the state.

3. That the republican party of Virginia hereby pledges itself to redeem the state from the discredit that now hangs over her in regard to her just obligations for moneys loaned her for constructing her internal improvements and charitable institutions, which permeating every quarter of the state, bring benefits of far greater value than their cost to our whole people, and we in the most solemn form pledge the republican party of the state to the full payment of the whole debt of the state, less the one-third

set aside as justly falling on West Virginia; that the industries of the country should be fostered through protective laws, so as to develop our own resources, employ our own labor, create a home market, enhance values, and promote the happiness and prosperity of the people.

4. That the public school system of Virginia is the creature of the republican party, and we demand that every dollar the constitution dedicates to it shall be sacredly applied thereto as a means of educating the children of the state, without regard to condition or race.

5. That the elective franchise as an equal right should be based on manhood qualification, and that we favor the repeal of the requirements of the prepayment of the capitation tax as a prerequisite to the franchise as opposed to the constitution of the United States, and in violation of the condition whereby the state was readmitted as a member of our constitutional Union, as well as against the spirit of the constitution; but demand the imposition of the capitation tax as a source of revenue for the support of the public schools without its disfranchising effects.

6. That we favor the repeal of the disqualification for the elective franchise by a conviction of petty larceny, and of the infamous laws which place it in the power of a single justice of the peace (ofttimes being more corrupt than the criminal before him) to disfranchise his fellow-man.

7. Finally, that we urge the repeal of the barbarous law permitting the imposition of stripes as degrading and inhuman, contrary to the genius of a true and enlightened people, and a relic of barbarism.

[The convention considered it inexpedient to nominate candidates for state officers.]

# PRESIDENTIAL ELECTIONS.

## SUMMARY OF POPULAR AND ELECTORAL VOTES FOR PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES, 1789-1880.

Year of Election.	No. of States.	Total Elec. Vote.	POLITICAL PARTY.	*PRESIDENTS.			*VICE PRESIDENTS.	
				CANDIDATES.	VOTE.		CANDIDATES.	Elec. Vote.
					States.	Popu- lar.		
1789	†10	73		George Washington.....		65		34
				John Adams.....				9
				John Jay.....				6
				R. H. Harrison.....				6
				John Rutledge.....				4
				John Hancock.....				4
				George Clinton.....				3
				Samuel Huntington.....				3
				John Milton.....				2
				James Armstrong.....				1
				Benjamin Lincoln.....				1
				Edward Telfair.....				1
				Vacancies.....		4		4
1792	15	185	Federalist.....	George Washington.....		13		77
			Federalist.....	John Adams.....				60
			Republican.....	George Clinton.....				4
				Thomas Jefferson.....				1
				Aaron Burr.....				8
				Vacancies.....		8		
1796	16	138	Federalist.....	John Adams.....		71		68
			Republican.....	Thomas Jefferson.....				59
			Federalist.....	Thomas Pinckney.....				30
			Republican.....	Aaron Burr.....				15
				Samuel Adams.....				11
				Oliver Ellsworth.....				7
				George Clinton.....				5
				John Jay.....				3
				James Iredell.....				2
				George Washington.....				2
				John Henry.....				2
				S. Johnson.....				2
				Charles C. Pinckney.....				1

\* Previous to the election of 1804 each elector voted for two candidates for President; the one receiving the highest number of votes, if a majority, was declared elected President; and the next highest Vice-President.

† Three states out of thirteen did not vote, viz.: New York, which had not passed an electoral law; and North Carolina and Rhode Island, which had not adopted the constitution.

SUMMARY OF POPULAR AND ELECTORAL VOTES—*Continued.*

Year of Election.	No. of States.	Total Elec. Vote.	POLITICAL PARTY.	PRESIDENTS.			VICE-PRESIDENTS.	
				CANDIDATES.	VOTE.		CANDIDATES.	Elect. Vote.
					States.	Popu- lar.		
1800	16	138	Republican.....	Thomas Jefferson.....	.....	.....	73	.....
			Republican.....	Aaron Burr.....	.....	.....	.....	73
			Federalist.....	John Adams.....	.....	.....	.....	65
			Federalist.....	Charles C. Pinckney.....	.....	.....	.....	64
			.....	John Jay.....	.....	.....	.....	1
1804	17	176	Republican.....	Thomas Jefferson.....	15	.....	162	George Clinton..... 162
			Federalist.....	Charles C. Pinckney.....	2	.....	14	Rufus King..... 14
1808	17	176	Republican.....	James Madison.....	12	.....	122	George Clinton..... 118
			Federalist.....	Charles C. Pinckney.....	5	.....	47	Rufus King..... 47
			.....	George Clinton.....	.....	.....	6	John Langdon..... 9
			.....	.....	.....	.....	.....	James Madison..... 3
			.....	.....	.....	.....	.....	James Monroe..... 3
1812	18	218	.....	Vacancy.....	.....	1	.....	1
			Republican.....	James Madison.....	11	.....	128	Elbridge Gerry..... 131
			Federalist.....	De Witt Clinton.....	7	.....	89	Jared Ingersoll..... 86
			.....	Vacancy.....	.....	1	.....	1
1816	19	221	Republican.....	James Monroe.....	16	.....	183	D. D. Tompkins..... 183
			Federalist.....	Rufus King.....	3	.....	34	John E. Howard..... 22
			.....	.....	.....	.....	.....	James Ross..... 5
			.....	.....	.....	.....	.....	John Marshall..... 4
			.....	Vacancies.....	.....	4	.....	Robert G. Harper..... 3
1820	24	235	.....	.....	.....	.....	.....	4
			Republican.....	James Monroe.....	24	.....	231	D. D. Tompkins..... 218
			Opposition.....	John Q. Adams.....	.....	.....	1	Richard Stockton..... 8
			.....	.....	.....	.....	.....	Daniel Rodney..... 4
			.....	.....	.....	.....	.....	Robert G. Harper..... 1
1824	24	261	.....	.....	.....	.....	.....	1
			.....	Vacancies.....	.....	3	.....	Richard Rush..... 1
			Republican.....	Andrew Jackson.....	10	156,872	199	John C. Calhoun..... 182
			Coalition.....	John Q. Adams.....	8	105,321	84	Nathan Sanford..... 30
			Republican.....	William H. Crawford.....	3	44,282	41	Nathaniel Macon..... 24
1828	21	261	Republican.....	Henry Clay.....	3	46,587	37	Andrew Jackson..... 13
			.....	.....	.....	.....	.....	M. Van Buren..... 9
			.....	Vacancy.....	.....	.....	.....	Henry Clay..... 2
			.....	.....	.....	.....	.....	1
1832	21	261	Democratic.....	Andrew Jackson.....	15	647,231	178	John C. Calhoun..... 171
			Nat'l Repub.....	John Q. Adams.....	9	509,097	83	Richard Rush..... 83
			.....	.....	.....	.....	.....	William Smith..... 7

\* There having been a tie vote, the choice devolved upon the House of Representatives. A choice was made on the 36th ballot, which was as follows: Jefferson—Georgia, Kentucky, Maryland, New Jersey, New York, North Carolina, Pennsylvania, Tennessee, Vermont, and Virginia—10 states; Burr—Connecticut, Massachusetts, New Hampshire, and Rhode Island—4 states; Blank—Delaware and South Carolina—2 states.

† No choice having been made by the electoral college, the choice devolved upon the House of Representatives. A choice was made on the first ballot, which was as follows: Adams—Connecticut, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New York, Ohio, Rhode Island, and Vermont—13 states; Jackson—Alabama, Indiana, Mississippi, New Jersey, Pennsylvania,



SUMMARY OF POPULAR AND ELECTORAL VOTES—*Continued.*

Year of Election.	No. of States.	Total Elec. Vote.	POLITICAL PARTY.	PRESIDENTS.			VICE-PRESIDENTS.	
				CANDIDATES.	VOTE.		CANDIDATES.	Elec. Vote.
					States.	Popu- lar.		
1832	24	288	Democratic.....	Andrew Jackson.....	15	687,502	219 M. Van Buren.....	189
			Nat'l Repub.....	Henry Clay.....	7	530,189	49 John Sergeant.....	49
				John Floyd.....	1		11 Henry Lee.....	11
			Anti-Mason.....	William Wirt.....	1	33,108	7 Amos Ellmaker.....	7
				Vacancies.....			William Wilkins.....	30
								2
1836	26	294	Democratic.....	Martin Van Buren.....	15	761,549	170 R. M. Johnson.....	147
			Whig.....	Wm. H. Harrison.....	7		73 Francis Granger.....	77
			Whig.....	Hugh L. White.....	2		26 John Tyler.....	47
			Whig.....	Daniel Webster.....	1	736,656	14 William Smith.....	23
			Whig.....	W. P. Mangum.....	1			
1840	26	294	Whig.....	Wm. H. Harrison.....	19	1,275,017	234 John Tyler.....	234
			Democratic.....	Martin Van Buren.....	7	1,128,702	60 R. M. Johnson.....	48
			Liberty.....	James G. Birney.....		7,059		
							L. W. Tazewell.....	11
							James K. Polk.....	1
1844	26	275	Democratic.....	James K. Polk.....	15	1,337,243	170 Geo. M. Dallas.....	170
			Whig.....	Henry Clay.....	11	1,299,068	105 T. Frelinghuysen.....	105
			Liberty.....	James G. Birney.....		62,300		
1848	30	290	Whig.....	Zachary Taylor.....	15	1,360,101	163 Millard Fillmore.....	163
			Democratic.....	Lewis Cass.....	13	1,220,544	127 Wm. O. Butler.....	127
			Free Soil.....	Martin Van Buren.....		291,263	Charles F. Adams.....	
1852	31	296	Democratic.....	Franklin Pierce.....	27	1,601,474	254 Wm. R. King.....	254
			Whig.....	Winfield Scott.....	4	1,386,578	42 Wm. A. Graham.....	42
			Free Dem.....	John P. Hale.....		156,149	Geo. W. Julian.....	
1856	31	296	Democratic.....	James Buchanan.....	19	1,838,169	174 J. C. Breckinridge.....	174
			Republican.....	John C. Fremont.....	11	1,341,264	114 Wm. L. Dayton.....	114
			American.....	Millard Fillmore.....	1	874,534	8 A. J. Donelson.....	8
1860	33	303	Republican.....	Abraham Lincoln.....	17	1,866,352	180 Hannibal Hamlin.....	180
			Democratic.....	J. C. Breckinridge.....	11	845,763	72 Joseph Lane.....	72
			Cons. Union.....	John Bell.....	3	589,561	39 Edward Everett.....	39
			Ind. Dem.....	S. A. Douglas.....	2	1,375,157	12 H. V. Johnson.....	12
1864	36	314	Republican.....	Abraham Lincoln.....	22	2,216,067	212 Andrew Johnson.....	212
			Democratic.....	Geo. B. McClellan.....	3	1,808,725	21 G. H. Pendleton.....	21
				Vacancies.....	11			81
1868	37	317	Republican.....	Ulysses S. Grant.....	26	3,015,071	214 Schuyler Colfax.....	214
			Democratic.....	Horatio Seymour.....	8	2,709,613	80 F. P. Blair, Jr.....	80
				Vacancies.....	3			23

South Carolina, and Tennessee—7 states; Crawford—Delaware, Georgia, North Carolina, and Virginia—4 states.

\* No candidate having received a majority of the votes of the electoral college, the Senate elected R. M. Johnson Vice-President, who received 33 votes; Francis Granger received 16.

† Eleven states did not vote, viz.: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

‡ Three states did not vote, viz.: Mississippi, Texas, and Virginia.

SUMMARY OF POPULAR AND ELECTORAL VOTES—*Continued.*

Year of Election.	No. of States.	Total Elec. Vote.	POLITICAL PARTY.	PRESIDENTS.			VICE-PRESIDENTS.		
				CANDIDATES.	VOTE.		CANDIDATES.	Elec. Vote.	
					States.	Popu- lar.			Elec'l.
1872	37	366	Republican.....	Ulysses S. Grant.....	31	3,597,070	286	Henry Wilson.....	286
			Dem. & Lib.....	Horace Greeley.....	6	2,834,079	47	B. Gratz Brown.....	47
			Democratic.....	Charles O'Connor.....	...	29,408	5	Geo. W. Julian.....	5
			Temperance.....	James Black.....	...	5,608	5	A. H. Colquitt.....	5
			.....	Thomas A. Hendricks.....	42	...	3	John M. Palmer.....	3
			.....	B. Gratz Brown.....	18	...	3	T. E. Bramlette.....	3
			.....	Charles J. Jenkins.....	2	...	1	W. S. Groesbeck.....	1
			.....	David Davis.....	1	...	1	Willis B. Machen.....	1
			.....	* Not Counted.....	...	...	1	N. P. Banks.....	1
			.....	.....	...	...	17	.....	14
1876	38	369	Republican.....	Rutherford B. Hayes.....	21	4,033,950	185	Wm. A. Wheeler.....	185
			Democratic.....	Samel J. Tilden.....	17	4,284,885	184	T. A. Hendricks.....	184
			Greenback.....	Peter Cooper.....	...	81,740	...	.....	...
			Prohibition.....	Green Clay Smith.....	...	9,522	...	.....	...
			.....	Scattering.....	...	2,636	...	.....	...
1880	38	369	Republican.....	James A. Garfield.....	19	4,442,950	214	Chester A. Arthur.....	214
			Democratic.....	Winfield S. Hancock.....	19	4,442,835	155	Wm. H. English.....	155
			Greenback.....	James B. Weaver.....	...	306,967	...	B. J. Chambers.....	...
			.....	Scattering.....	...	12,576	...	.....	...

\*Three electoral votes of Georgia cast for Horace Greeley, and the votes of Arkansas, 6, and Louisiana, 8, cast for U. S. Grant, were rejected. If all had been included in the count, the electoral vote would have been 300 for U. S. Grant, and 66 for opposing candidates.

## DESCRIPTION OF THE DIAGRAM

OF THE

### HISTORY OF POLITICAL PARTIES—PLATE VI.

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In this plate the outline history of the parties is shown by colored streams, represented as flowing from the left to the right. The name of a political organization appears upon the color which designates the party. When the history of a party begins, the color begins; when its history closes, the color disappears. After each name the word *party* is understood. The dates at the extremities of a color mark the beginning and the close of the history of a party; for instance, the old whig party began in 1773, and closed in 1787 (p. 28); it was a continuation of the popular rights party (p. 5), while the tory party (p. 30) was a continuation of the court party (p. 5). That out of which a party was organized and that into which it merged are readily seen by inspection. Take, for example, the nullification party, which sprang from the democratic party, and merged into two organizations. The origin of the federal and anti-federal parties is prominently shown (pp. 52, 53); having been formed out of the particularist and strong-government elements (p. 51). The words proceeding from the stream for a party represent the issues of that party. The issue is located at the date when the party began advocating it; for instance, the constitution in 1787 was advocated by the federal party. In 1791 a part of the anti-federal (p. 77) united with the republicans (p. 78), and this, in 1793, joined by the democrats (p. 79), formed the democratic-republican party (p. 81). When a party is in power, its stream appears above the streams for the other parties. The federal party was in power from the beginning of Washington's administration till the beginning of Jefferson's. In 1801, the democratic-republican party obtained control of the government. In Monroe's administration, the federal party, having been overborne and conquered in several presidential campaigns, ceased to maintain itself as a separate political organization, and merged into the democratic-republican party; then occurred the "era of good feeling." The peace party (p. 178) and the Clintonians (p. 177) existed from 1811 to 1815.

The mysterious disappearance of William Morgan, a New York state Freemason, in September, 1826, and the excitement arising therefrom,

resulted, in 1827, in the formation of a political organization, known in history as the anti-masonic party (p. 203).

In 1828, the supporters of John Quincy Adams separated themselves from the democratic-republican party, and styled themselves the national republican party. The supporters of Andrew Jackson, the same year, dropped the latter part of their former party title, and became then and afterwards known as the democratic party (p. 199).

In 1831, a schism occurred in the democratic party, under the leadership of John C. Calhoun, the representative and champion of the "state-rights" sentiment; this faction received the name of the nullification party (p. 212). The locofoco party lasted from 1835 to 1837 (p. 216).

The opponents of President Jackson and his administration combined, in the year 1834, as a political organization, to which was given the name of the whig party; the national republican party was, naturally the main constituent of this new organization, but it received large accessions from the anti-masonic and nullification parties, and many adherents from the democratic party itself (p. 216).

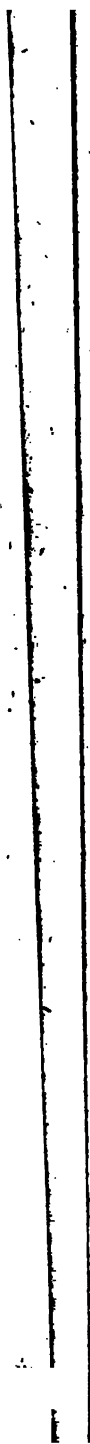
In 1833, the national anti-slavery society was formed (p. 215); in 1839, a portion of the membership of that society gave the organization a political form, and became distinguished as the "Garrisonians," or abolition party (p. 229). The following year (1840), a constitutional anti-slavery party, styled the liberty party (p. 229), was formed, into which most of the abolitionists entered. From this party there was an offshoot in 1845, called the liberty league (p. 256). In 1848, the free-soil democrats of New York, styled "barn-burners" (pp. 240-257), and the liberty party formed what was called the free-soil party (p. 257).

In 1848, also, the New York division of the democratic party, which had borne the name of "hunkers," dropped that distinguishing title, and became as one with the old association (pp. 240-257).

The native American party was organized in 1843 (p. 139), and the silver grays in 1850 (p. 275).

In 1854, a combination of anti-Nebraska democrats, whigs, Americans (pp. 291, 275), and free-soilers opposed Pierce's administration, under the designation of "anti-Nebraska" or the "fusion" ticket. At this time the republican party was organized in some of the states; it became a national party in 1856 (p. 292). The same year, a part of the Americans, calling themselves North Americans, joined the republican party. This party gained the ascendancy in 1860, and the following year was joined by a portion of the constitutional unionists, who had formed a party the preceding year out of the disbanded American party (pp. 325, 363).

The democratic party was in power from 1829 till 1841; from 1845 to 1849; and from 1853 till the inauguration of Lincoln. The whig party



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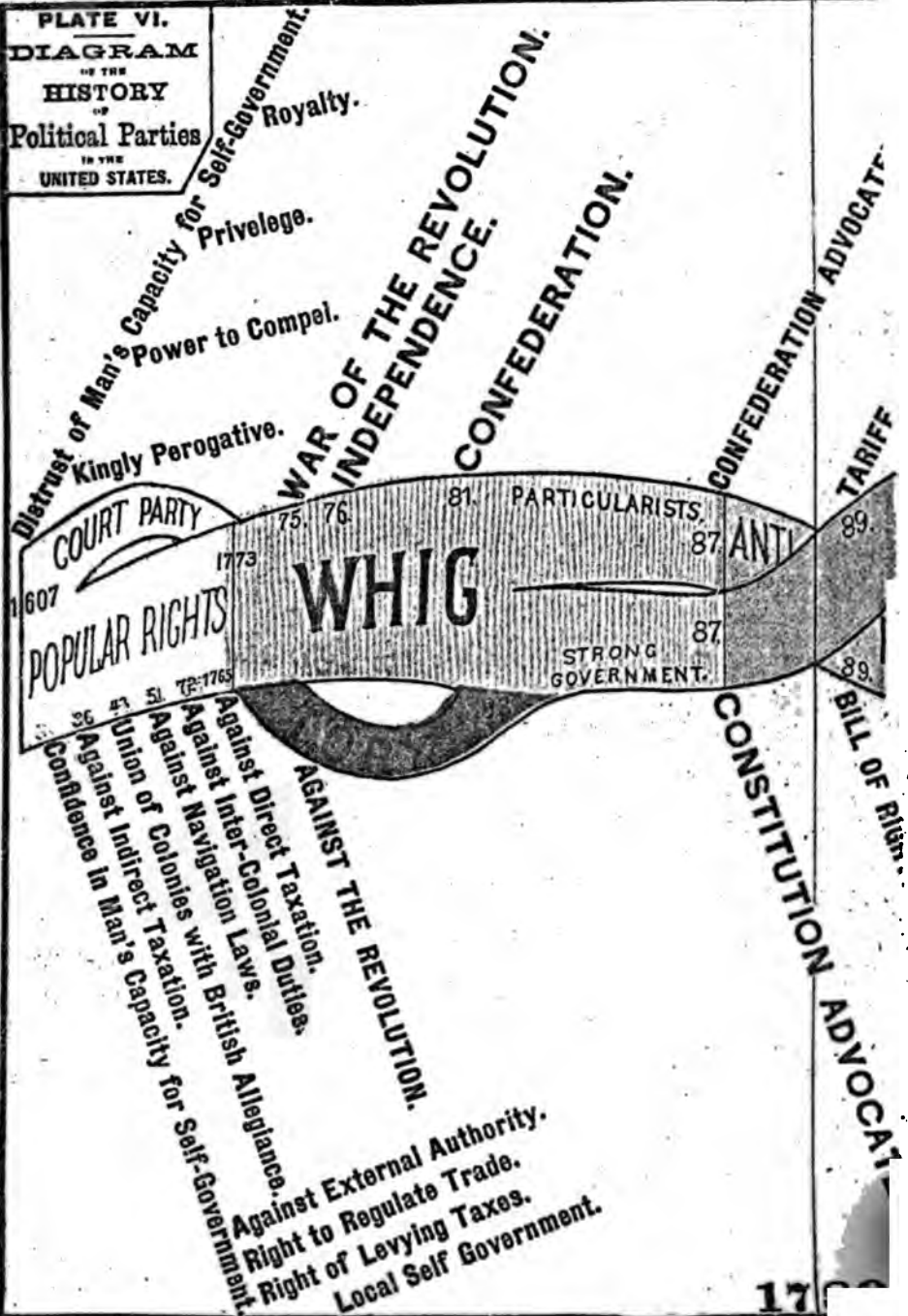
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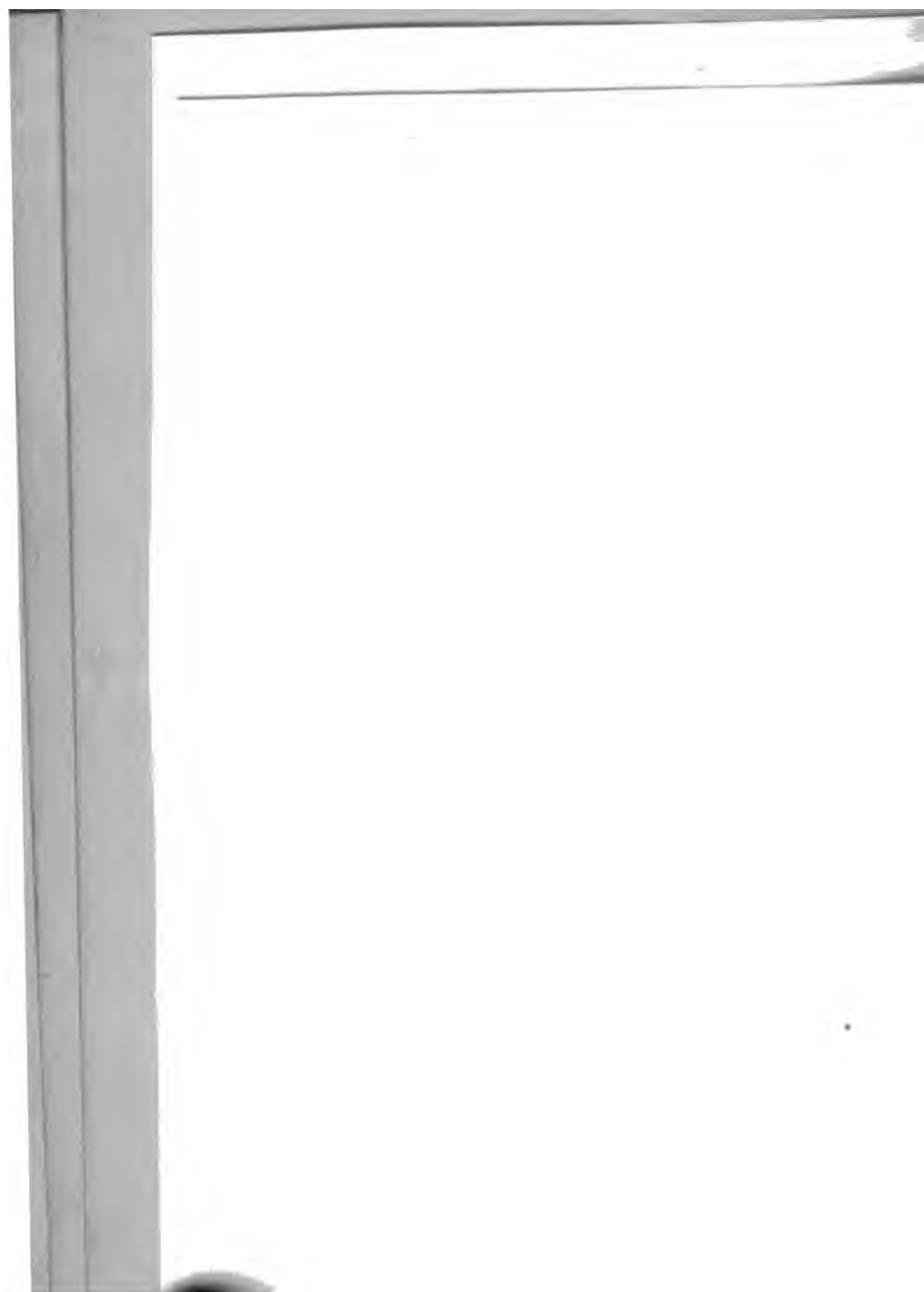
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**PLATE VI.  
DIAGRAM  
OF THE  
HISTORY  
OF  
Political Parties  
IN THE  
UNITED STATES.**













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